

methods of paying and securing such bonds; enacting other provisions relating to the subject; making this Act cumulative of other laws; providing that it shall take precedence over other laws, general or special, and all charter provisions in conflict or inconsistent herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 25, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 20, A bill to be entitled "An Act providing for licensing of operators, commercial operators, and chauffeurs; defining certain terms; providing for certain exemptions; prohibiting issuance of licenses to certain persons; making it unlawful for certain persons to operate a school bus or any motor vehicle while in use as a public or common carrier of persons; providing for application for operators', commercial operators', and chauffeurs' licenses; providing for signing of application of minors and cancellation of minors' license upon application, and/or death of signatory; . . . etc.; declaring an emergency and providing the Act shall take effect from and after its passage."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 266, "An Act amending Section 9, Chapter 14, of the Acts of the Thirty-seventh Legislature, Special Laws of the First Called Session, Senate Bill No. 79, so as to give compensation to the members of the Board of Equalization of the Mineral Wells Independent School District; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

February 26, 1941

House Concurrent Resolution No. 43.

House Concurrent Resolution No. 48.

House Bill No. 266.

TWENTY-NINTH DAY

(Thursday, February 27, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Deen
Allen	Dickson of Bexar
Allison	Dickson of Nolan
Alsup	Donald
Anderson	Dove
Avant	Duckett
Bailey	Dwyer
Baker	Ellis
Bean	Eubank
Benton	Evans
Blankenship	Favors
Boone	Ferguson
Brawner	Files
Bray	Fitzgerald
Bridgers	Fuchs
Brown	Gandy
Bruhl	Goodman
Bullock	Halsey
Bundy	Hardeman
Burkett	Hargis
Burnaman	Harris of Dallas
Carlton	Harris of Hill
Carrington	Hartzog
Cato	Heflin
Celaya	Helpinstill
Chambers	Henderson
Clark	Hileman
Cleveland	Hobbs
Coker	Howard
Colson, Mrs.	Howington
Connelly	Hoyo
Craig	Huffman
Crossley	Hughes
Crosthwait	Humphrey
Davis	Hutchinson

Isaacks	Nicholson
Jones	Pace
Kelly	Parker
Kennedy	Pevehouse
Kersey	Phillips
Kinard	Price
King	Reed of Bowie
Klingeman	Reed of Dallas
Knight	Ridgeway
Lansberry	Roark
Lehman	Roberts
Leyendecker	Rhodes
Little	Sallas
Lock	Senterfitt
Love	Sharpe
Lowry	Shell
Lucas	Simpson
Lyle	Skiles
McAlister	Smith of Bastrop
McCann	Smith of Atascosa
McDonald	Spacek
McGlasson	Spangler
McLellan	Stanford
McMurry	Stinson
McNamara	Taylor
Manning	Thornton
Markle	Turner
Martin	Vale
Matthews	Voigt
Mills	Walters
Montgomery	Wattner
Moore	Weatherford
Morgan	White
Morris	Whitesides
Morse	Winfree
Murray	

Absent

Daniel	Manford
Hanna	

Absent—Excused

Bell	Huddleston
Garland	Rampy
Gilmer	Stubbs

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, humbly we praise Thee for the goodness to us. We thank Thee for peace in our land, for plenty, for our liberties, our privileges, and our duties. Be Thou with us in our efforts to further the welfare of our people, that we may be effective unto permanent good. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Stubbs and Mr. Gilmer for today on motion of Mr. Turner.

Mr. Rampy for today on motion of Mr. Wattner.

Mr. Garland for today on motion of Mr. Humphrey.

Mr. Huddleston for today on account of important State business on motion of Mr. Dove.

The following Member was granted leave of absence on account of illness:

Mr. Bell for today on motion of Mr. Morris.

HOUSE BILLS ON FIRST READING

The following House Bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Hutchinson:

H. B. No. 538, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of Seventeen Thousand Two Hundred Dollars (\$17,200.00), not otherwise appropriated, to cover taxes due by the State of Texas to Fort Bend County, covering the years 1939 and 1940, inclusive, and the taxes to become due for the years 1941 and 1942, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Burnaman:

H. B. No. 539, A bill to be entitled "An Act to be known as Article 779a; providing for the investment of sinking funds of counties and road districts, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Kelly:

H. B. No. 540, A bill to be entitled "An Act providing for the sale and

transfer by the Texas Prison Board of certain land in the City of Huntsville, Walker County, to United Gas Corporation, in exchange for a tract of land in Huntsville, Walker County, to be conveyed by United Gas Corporation to the Texas Prison Board; authorizing and empowering the Texas Prison Board to make the exchange of said properties and authorizing the Chairman or Vice-chairman to execute a deed of conveyance to be attested by the Board's Secretary; and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Coker:

H. B. No. 541, A bill to be entitled "An Act repealing H. B. No. 627 passed at the Regular Session of the Forty-fifth Legislature, the same being a local game bill for Polk County; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Gandy:

H. B. No. 542, A bill to be entitled "An Act, providing a special season on Mondays, Wednesdays and Fridays during the period December 1 to January 16 in Hopkins and Franklin Counties; providing a penalty for violation of this Act, repealing conflicting laws and declaring an emergency and the effective date of this Act."

Referred to the Committee on Game and Fisheries.

By Mr. Burnaman, Mr. McCann and Mr. Coker:

H. B. No. 543, A bill to be entitled "An Act authorizing the State Forester to designate certain of his employees as peace officers and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Burnaman, Mr. McCann and Mr. Coker:

H. B. No. 544, A bill to be entitled "An Act authorizing employees of the Texas Forest Service and such additional outside help or assistance they

might call on to enter on any privately owned lands for the purpose of investigating and controlling forest and grass fires that appear to be or are burning uncontrolled; and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Lyle:

H. B. No. 545, A bill to be entitled "An Act for the protection of navigation districts, their properties and facilities and the operation thereof, prohibiting certain uses thereof and acts thereon and therein; providing penalties for violation thereof and declaring an emergency."

Referred to the Committee on Judiciary and Uniform State Laws.

By Mr. Lyle:

H. B. No. 546, A bill to be entitled "An Act amending Article 8240 of Chapter 9 of Title 128, Revised Civil Statutes of Texas, 1925, so as to provide that all franchises granted by any navigation districts shall be granted by the affirmative vote of a majority of the commissioners of said district instead of the affirmative vote of three of said commissioners; and empowering said districts to grant revocable licenses or permits for the use of limited portions of water front or facilities and to enter into leases of any of the unused lands or facilities of said district, upon certain terms and conditions, all for purposes consistent with the purposes for which said district was created, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Morgan:

H. B. No. 547, A bill to be entitled "An Act repealing Article 2883A, Title 49, Chapter 17, Vernon's Civil Statutes 1939, the same being Chapter 13, page 282, of the Acts of the Regular Session of the 46th Legislature of 1939, and being Senate Bill No. 297."

Referred to the Committee on Education.

By Mr. Rampy:

H. B. No. 548, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as County Commissioner; providing for the payment of the same; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Stubbs and Mr. Knight:

H. B. No. 549, A bill to be entitled "An Act making specific appropriation out of the General Fund of the State of Texas, not otherwise appropriated, to pay a judgment obtained by W. S. Hale and wife, against the State of Texas under the authority of Senate Bill No. 197, Chapter 72, Special Laws of the Regular Session of the Forty-second Legislature, authorizing the said W. S. Hale and wife to sue the State of Texas for the recovery of damages resulting from overflow of their lands arising out of the construction of temporary dumps or roadbeds by the State through its Highway Department; directing the Comptroller of the State of Texas to issue warrant on the State Treasury in favor of W. S. Hale and wife, in the sum of the judgment rendered by the Supreme Court of Texas in the suit of W. S. Hale and wife against the State of Texas brought under the authority of Senate Bill No. 197; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Boone:

H. B. No. 550, A bill to be entitled "An Act amending Section 21, Chapter 467, Acts of the Second Called Session, Forty-fourth Legislature, as amended in Section 3, Article III, Chapter 495, Acts of the Third Called Session, Forty-fourth Legislature, and by Section 26, Article I, Chapter 448, Acts of the Forty-fifth Legislature, Regular Session, providing for increase in the cost of stamps for spirituous liquor; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Boone:

H. B. No. 551, A bill to be entitled "An Act to provide for the general welfare and to protect the health, efficiency, and general well-being of workers in the State of Texas by providing for the elimination of wage and hour standards detrimental to the health, efficiency, and general well-being of workers, to prescribe minimum wage and maximum hour standards, and to provide for the further determination and establishment of minimum wages by industry; to provide for enforcement of such provisions and to prescribe the powers and duties of the Bureau of Labor Statistics under this Act; to prescribe penalties for violations of this Act or of orders or regulations of the Commissioner of Labor authorized hereunder; and to repeal such laws or parts of laws as are specifically provided for in this Act."

Referred to the Committee on Labor.

By Mr. Boone:

H. B. No. 552, A bill to be entitled "An Act appropriating \$32,500.00, or so much thereof as may be necessary for the school year ending August 31, 1942, and appropriating \$70,000.00, or so much thereof as may be necessary for the school year ending August 31, 1943, to provide and foster a program of competent education for physically handicapped children in this State; making allocations of said appropriations; creating in the State Department of Education a Division of Special Education, and defining its powers and duties; defining physically handicapped children entitled to aid under the provisions of this Act; providing for establishing and conducting hospital or convalescent classes, correspondence courses and classes in various school districts; defining the duties of local school boards; providing for the expenditure of the funds herein appropriated and attaching conditions, regulations, and limitations relative to such expenditures; repealing all laws

or parts of laws in conflict therewith; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Lansberry, Mr. Morris and Mr. Hughes:

H. B. No. 553, A bill to be entitled "An Act amending Section 4, Article 1029, of the Code of Criminal Procedure, 1925, and Article 1065, Section 10, of the Code of Criminal Procedure, 1925, providing for the payment of mileage to be paid sheriffs, constables or other peace officers, repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Lansberry:

H. B. No. 554, A bill to be entitled "An Act amending Article 6675a-5, Acts 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, Section 5, providing for the annual license fee for the registration of motorcycles, sidecars and passenger cars, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Roark:

H. B. No. 555, A bill to be entitled "An Act to amend Article 1030 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts 1931, Forty-second Legislature, Chapter 5, page 262; providing that a City Poll Tax shall not be required to vote in any election in this State except in city elections; and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Fuchs:

H. B. No. 556, A bill to be entitled "An Act providing special procedure in matters of soil conservation permissive for counties not now active under the State Soil Conservation Act, House Bill No. 20, Acts of the Forty-sixth Legislature; providing further that counties now proceeding under House Bill No. 20, Acts of the Forty-sixth Legislature, may

adopt the methods provided in this Act instead; providing that nothing in this Act shall be in conflict with or repeal any portion of House Bill No. 20, Acts of the Forty-sixth Legislature; and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Craig:

H. B. No. 557, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill any deer and/or wild turkey for a period of five (5) years in Roberts, Hemphill and Hutchinson Counties, Texas; fixing penalties; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Henderson:

H. B. No. 558, A bill to be entitled "An Act amending Article 3899 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature, and as amended by Chapter 311, Acts of the Regular Session of the Forty-fourth Legislature, and as amended by Chapter 465, Acts of the Second Called Session of the Forty-fourth Legislature, and as amended by Chapter 498, Acts of the Regular Session of the Forty-fifth Legislature, and as amended by Chapter 37, Acts of the First Called Session of the Forty-fifth Legislature; providing that Criminal District Attorneys who perform the duties of District Attorneys in certain counties may incur certain expenses in investigating crime and in accumulating evidence in criminal cases, and for the payment for mileage traveled by said Criminal District Attorneys in automobiles furnished by them in the discharge of their official duties; providing that this Act shall be cumulative of all laws not in conflict herewith; and declaring an emergency."

Referred to the Committee on Judiciary and Uniform State Laws.

By Mr. Boone and Mr. Brawner:

H. B. No. 559, A bill to be entitled "An Act amending Article 667, Sec-

tion 23, of the Penal Code of Texas, as enacted by the Forty-fifth Legislature, Regular Session, page 1053, Chapter 448, Section 49, providing for increased tax and increase in the cost of stamps for beer; and declaring an emergency."

Referred to the Committee on Liquor Traffic.

By Mr. Chambers (by request) and Mr. Nicholson (by request):

H. B. No. 560, A bill to be entitled "An Act amending Chapter 13, Acts Third Called Session of the Forty-second Legislature, as amended; declaring the policy of the State with reference to building, maintaining and financing State designated roads; defining certain terms used throughout the Act; creating the Board of County and District Road Indebtedness, and prescribing the powers, duties and obligations of said board; allocating revenue obtained from the occupation tax on the business of selling gasoline; creating a County and Road District Highway Fund, designating the money to be placed in said fund, and prescribing the manner and purposes for which such fund shall be expended; authorizing the payment out of the County and Road District Highway Fund of certain bonds and warrants issued by the counties where the proceeds of such bonds and warrants were used in the construction of roads comprising the State System of Highways; providing for refunding certain county obligations and bonds; providing for the disposition of sinking funds on county bonds issued to build State designated highways; making an appropriation for the next biennium of monies coming into the County and Road District Highway Fund; providing for the handling of County Sinking Funds accumulated from the payment of certain road bonds and warrants; providing for the payment of certain Navigation District Bonds; making an appropriation for the administration of this Act; providing that if any section of this Act is unconstitutional, other portions of this Act shall not be affected thereby; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Rhodes:

H. B. No. 561, A bill to be entitled "An Act authorizing the creation of burial associations on the assessment or fee basis as a body corporate; regulating said associations; providing that not less than five persons desiring to organize such association shall make application to the Life Insurance Commissioner of Texas for a certificate of authority in the manner herein provided; and providing for depositing funds as a guarantee to policyholders; providing for directors of not less than five nor more than nine who shall be residents of Texas, and for by-laws to be approved by the Life Insurance Commissioner; providing for election and bonding of officers; and providing for approval of form of certificates by Life Insurance Commissioner; and providing for filing fees for certificate of authority; and providing that it shall be unlawful for such association to provide for the paying of policies in anything but cash; and providing for making annual reports; providing for organizations now engaged in such business to be brought under this Act; providing that agents selling such insurance shall be licensed; and providing that persons violating this Act shall be guilty of a misdemeanor punishable by fine of not less than Twenty-five (\$25.00) Dollars or more than Five Hundred (\$500.00) Dollars; and providing for Attorney General to bring suit for violation of this Act and power of Life Insurance Commissioner to make special examinations and to receive fees therefor; and providing that laws in conflict not applicable to associations organized hereunder; and providing that if any part of this law is invalid or unconstitutional, the remainder of the Act shall not be affected thereby; and providing that all notices of the Insurance Commissioner to be served by registered mail and providing it shall be unlawful to operate burial associations without certificate of authority and the mode of filing suit by Attorney General for violation of this Act; and providing for an emergency."

Referred to the Committee on Insurance.

By Mr. Heflin and Mr. Winfree:

H. B. No. 562, A bill to be entitled "An Act to amend Section 10, of Chapter 88, Acts of 1929, Forty-first Legislature, Second Called Session; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Bean:

H. B. No. 563, A bill to be entitled "An Act amending Chapter 94 (page 267) of the General Laws of the Regular Session of the Thirty-ninth Legislature, as amended by Thirty-ninth Legislature at its first called session, page 43, Chapter 25, Section One, and providing that owners of public free school land, that has heretofore been forfeited, and remaining unsold, and that which may hereafter be forfeited for non-payment of interest accrued prior to November 1, 1941, shall have a right to repurchase same at the price fixed upon a revaluation thereof by the Commissioner of the General Land Office; providing that those desiring the repurchase shall pay an acreage fee for the expense of said revaluation and the remainder, if any, to be deposited in the State Treasury to the credit of the General Revenue; providing for protection of contractual obligations, forfeiture for non-payment of interest, reservation of minerals."

Referred to the Committee on Public Lands and Buildings.

By Mr. Turner:

H. B. No. 564, A bill to be entitled "An Act to authorize the State Treasurer and the State Comptroller to transfer certain moneys from the General Fund and the Available School Fund to the Board of Insurance Commissioners Suspense Account, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Coker, Mr. Hanna, Mr. Howington, Mr. Hargis, Mr. Dean, Mr. Voigt, Mr. Cato, Mr. Humphrey, Mr. King, Mr. Allison and Mr. Cleveland:

H. B. No. 565, A bill to be entitled "An Act amending subsection (18), section (16), Article I, Chapter 448 of the General and Special Laws of the Regular Session of the Forty-fifth Legislature, which amended subsection (n), Section 15, Article I, Chapter 467, of the General and Special Laws of the Second Called Session of the Forty-fourth Legislature, so as to prohibit the sale of intoxicating liquor under medical permit in any political subdivision of this State after an election had been held by the qualified voters of said political subdivision, prohibiting the sale and possession for the purpose of sale any intoxicating liquor in said political subdivision, and prohibiting the drinking of any intoxicating liquor in any public place in such political subdivision; providing penalties for such violation and declaring an emergency."

Referred to the Committee on Liquor Traffic.

By Mr. Fuchs, Mr. Evans, Mr. Turner, Mr. McCann, Mr. Hargis, Mr. Donald, Mr. Burkett and Mr. Dove:

H. B. No. 566, A bill to be entitled "An Act to provide for the sale of all baled or packed lint cotton in this State upon its net weight; requiring cotton ginner to mark each bale of cotton to show net weight; requiring that buyers of cotton in bidding on such baled cotton shall furnish quotations according to net weight; defining the term net weight; providing penalties for the violation of this Act and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Celaya:

H. B. No. 567, A bill to be entitled "An Act making emergency supplementary appropriations for the support and maintenance of the Texas Liquor Control Board for the fiscal year ending August 31, 1941; for the payment of refund claims filed under the provisions of the Texas Liquor Control Act; providing regulations and restrictions in respect to the appropriations made herein, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Reed of Dallas (by request), Mr. Crosthwait, Mr. Blankenship, Mr. Hanna, Mr. Harris of Dallas and Mr. Stinson:

H. B. No. 568, A bill to be entitled "An Act empowering and authorizing cities and towns in the State of Texas having a population in excess of One Hundred Thousand (100,000) inhabitants, according to the last preceding Federal Census, to enact ordinances governing the licensing of persons engaged in the business of lending money to any person or persons without security; defining the word 'person' as used herein; providing that city ordinances hereby empowered or authorized may contain any one or more of the following provisions: (1) providing for the contents of said license and its posting; (2) requiring each licensee to keep complete set of records and to file a report; (3) providing for the storage of records after the discontinuance of business by licensee; (4) providing for inspection of the books and records; (5) providing for authority and power of City Attorney to enjoin violation of ordinance; (6) providing for authority and power of city attorney to secure mandatory injunction; (7) requiring licensee to furnish bond; (8) providing a penalty; (9) providing a license fee; (10) providing city with power to revoke license; (11) excepting certain persons as herein defined from the operation of ordinance; (12) providing a saving clause; (13) other provisions reasonably incidental to any of the foregoing; this act further repealing all conflicting laws and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Reed of Dallas (by request), Mr. Crosthwait, Mr. Blankenship, Mr. Hanna, and Mr. Harris of Dallas:

H. B. No. 569, A bill to be entitled "An Act to amend Special Laws, Acts 42nd Legislature, page 457, Chapter 236, Section 1, known as Article 1702a, Revised Civil Statutes of Texas, establishing a County Law Library in certain counties; providing a fund to be raised by collecting costs in certain civil and criminal

cases, and for the administration of said fund; providing for appointment of custodian or librarian and assistants; providing for housing and management; and declaring an emergency."

Referred to Committee on Judiciary and Uniform State Laws.

By Mr. Reed of Dallas:

H. B. No. 570, A bill to be entitled "An Act appropriating for the fiscal year 1940-41 all moneys accruing to the Highway Light Test Fund in accordance with existing law; and appropriating the sum of Four Hundred (\$400.00) Dollars from the State Highway Fund for the year 1940-41 to the credit of the Highway Light Test Fund to be used for the purposes described by and in accordance with existing law; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Humphrey, Mr. McAlister, Mr. Bullock, Mr. McMurry, Mr. Skiles, Mr. Coker, Mr. Boone, Mr. Roark, Mr. Clark, and Mr. Eubank:

H. B. No. 571, A bill to be entitled "An Act to further the general welfare and governmental economy and to bring about increased efficiency in the service of all State departments, agencies and institutions of the State government by the establishment of a merit system of appointing employees; creating a State Civil Service Commission; prescribing its powers and duties; providing for the appointment of a Personnel Director; and prescribing his qualifications; and his powers and duties; providing for the formation of tests for applicants for positions; for their examination, appointment, promotion, demotion, transfer, removal, and reinstatement; providing that the civil service shall be divided into the unclassified and the classified service and designating the positions under each classification; providing for the establishment of employment and re-employment list; making certain exemptions; providing that the services and facilities of the State Personnel Division shall be available upon request, subject to rules prescribed therefor by the commission, to local governmental subdivisions of the

State; providing for the enforcement and administration of this act, and prescribing penalties and aid thereof; defining certain terms as used in the act; providing that the act shall be severable; repealing all laws inconsistent with this act; making an appropriation and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Roberts:

H. B. No. 572, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as County Commissioner; providing for the payment of the same; and declaring an emergency."

Referred to Committee on Counties.

By Mr. Smith of Atascosa:

H. B. No. 573, A bill to be entitled "An Act to provide for the creation of corporations in certain instances, making this act accumulative of all other laws and repealing such laws in conflict herewith, insofar as they pertain to such corporations, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Smith of Atascosa:

H. B. No. 574, A bill to be entitled "An Act to provide that the Board of Control of the State of Texas may purchase buses, tires, tubes, radios, batteries, and other goods, chattels, articles and supplies for school districts in certain cases and making this Act accumulative of all laws and repealing all laws, insofar as they conflict with the purposes of this Act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Smith of Atascosa:

H. B. No. 575, A bill to be entitled "An Act to provide for the creation of water control and improvement districts in certain cases, making this Act accumulative of all laws and re-

pealing such laws as might be in conflict herewith insofar as such conflicting laws pertain to such certain districts, setting out the powers and duties of such districts, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Klingeman:

H. B. No. 576, A bill to be entitled "An Act to repeal Article 4201a, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

Referred to Committee on Judiciary and Uniform State Laws.

By Mr. Hughes and Mr. Lansberry:

H. B. No. 577, A bill to be entitled "An Act prescribing additional duties for County Auditors in all counties having not less than forty-one thousand (41,000) inhabitants and not more than forty-two thousand, one hundred (42,100) inhabitants, according to the last preceding Federal Census; fixing the salaries of such County Auditors; providing mode and manner of payment thereof; repealing all laws in conflict therewith; and declaring an emergency."

Referred to Committee on Counties.

By Mr. Helpinstill:

H. B. No. 578, A bill to be entitled "An Act appropriating out of the State General Revenue Fund the sum of Five Thousand Dollars, (\$5,000.00), to the Nat Common School District No. 12, Nacogdoches County, Texas, to be used by said School District in rebuilding a public schoolhouse within the District."

Referred to Committee on Appropriations.

By Mr. Heflin and Mr. Lehman:

H. B. No. 579, A bill to be entitled "An Act providing that any license and weight inspector of the Department of Public Safety, any Highway Patrolman or certain other designated officers believing the gross weight of any vehicle to be unlawful may cause same to be weighed, how and where same may be weighed and

who may weigh same and if said gross weight is shown to be unlawful same shall be unloaded to make said gross weight lawful; prescribing other regulations relating to and governing the operations of trucks upon the highways of this State; fixing venue for prosecutions under this Act; making it the duty of the Attorney General, District Attorneys and County Attorneys to enforce this Act; fixing penalties for violating this Act and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Stanford:

H. B. No. 580, A bill to be entitled "An Act to amend Article 8308, Title 130 of the Revised Civil Statutes of Texas, 1925; repealing all laws or parts of laws in conflict with this Act; providing that if any portion of this Act be declared unconstitutional, such unconstitutionality shall not affect the remaining portions of the Act; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Hoyo:

H. B. No. 581, A bill to be entitled "An Act making an appropriation in the sum of One Thousand Eight Hundred Twenty-seven (\$1,827.00) Dollars to pay Mrs. J. Albert Ackermann for damages done certain properties in Bexar County, Texas, by reason of the construction of a State Highway by the State Highway Department adjacent to certain properties, complying with judgment of the District Court of the 37th Judicial District, Bexar County, Texas, said judgment being rendered upon a suit filed by the said Mrs. Ackermann in compliance with a request granted by House Concurrent Resolution No. 45 of the Forty-fifth Legislature of the State of Texas; authorizing and directing the State Highway Commission and the Comptroller of the State of Texas to pay said claim; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Carrington, Mr. Bean, and Mr. Evans:

H. B. No. 582, A bill to be entitled "An Act providing that every resident of this State over the age of ten years shall secure a personal identification card issued by the Department of Public Safety or their authorized agents; providing that each application for an identification card shall be accompanied by a record of the fingerprints of the applicant, and certain statistical information; providing for the taking of such fingerprints and the securing of such data, and for the general administration of all phases of this Act; providing that failure to comply with the provisions of this Act or the giving of false information with respect thereto shall constitute a misdemeanor, and fixing the penalty therefor; providing for the payment and collection of fees for identification cards and the allocation of funds derived therefrom; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Whitesides:

H. B. No. 583, A bill to be entitled "An Act to provide for the construction, establishment and maintenance of two buildings on State land as a part of the Rusk State Hospital for the care, treatment, and support of epileptic and feeble minded negroes; providing for selection of site by the Board of Control, providing for operation of the buildings under supervision of the superintendent of Rusk State Hospital as now provided by law governing such institutions; making an appropriation; providing none of said appropriation shall be used for the purchase of lands for said building site; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Whitesides, Mr. Sallas, Mr. Hargis, Mr. Helpinstill, and Mr. Hileman:

H. B. No. 584, A bill to be entitled "An Act fixing an open season for taking squirrels in certain counties; providing a bag limit and possession limit of squirrels in said counties; providing a penalty; repealing all laws insofar as they conflict with this Act and specifically repealing

those laws fixing a bag limit or open season for the counties to which this Act applies, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Whitesides:

H. B. No. 585, A bill to be entitled "An Act making it unlawful to hunt, take or kill any squirrel except during the months of October, November, and December in Cherokee County; providing for a penalty; repealing all conflicting laws and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Carrington and Mr. Stanford:

H. B. No. 586, A bill to be entitled "An Act to relinquish, quitclaim and grant unto all incorporated cities and towns which have a population of 40,000 inhabitants or more, according to the 1940 Federal Census, all of the beds and channels and also all of the abandoned beds and channels of all rivers, streams and other channels, which are now or which may hereafter be within the present or future corporate limits of such incorporated cities and towns insofar as the beds and channels and such abandoned channels of such rivers, streams and other channels may be owned or claimed as the property of the State of Texas; providing that this Act shall not extend to or include any law suits or litigation now filed or now pending in the trial court or on appeal from the trial court, and providing that the rights of the parties in such suits now pending, or on appeal from the trial court, shall be determined by the law existing prior to the passage of this Act; repealing all laws or parts of laws in conflict with the provisions of this Act and expressly repealing Chapter 155, Acts 1925, 39th Legislature, known as Article 7467a, Vernon's Revised Civil Statutes; and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Huffman:

H. B. No. 587, A bill to be entitled "An Act repealing Articles 2959 and

7046, Revised Civil Statutes of Texas, 1925, so as to abolish the levying and collection of a poll tax in Texas; providing for the registration of all citizens of Texas over twenty-one (21) years of age, with certain exemptions; and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Burnaman:

H. B. No. 588, A bill to be entitled "An Act creating the Newton County Flood Control District in Newton County, Texas, and defining its powers; designating the Commissioners' Court as the governing body of such District and defining the powers of such Court in connection therewith; providing for the filing of a petition for the issuance of bonds, notice of hearing thereon, for an election therefor, and the procedure; limiting the tax rate in support of bonds voted; providing for the issuance of bonds and the manner and form thereof and the procedure in connection with the issuing, registration, approval, and sale thereof; defining the duties of the various officials of Newton County; providing that State laws applicable to contracts and accounting for funds shall apply to such District; making the Act cumulative of other laws; providing for the use of public property by such District; granting the right of eminent domain; providing laws relating to assessing and collecting State and county current and delinquent taxes shall apply to said District; providing that if any provision of this Act shall be held invalid or unconstitutional the other provisions shall not be affected; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Burnaman:

H. B. No. 589, A bill to be entitled "An Act declaring the floods of Newton County, Texas, to be a public calamity; authorizing a donation and grant to Newton County Flood Control District of the State ad valorem taxes collected in Newton County for flood control improvement and maintenance purposes, specifying the re-

ports thereon to be made by the Assessor and Collector of Taxes; authorizing the issuance of bonds secured by a pledge of the funds donated and granted by the State and prescribing the manner of issuance thereof; providing the procedure hereunder for all matters relating to said donation; providing that if any provision of this Act shall be held invalid, the other provisions shall not be affected, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. McGlasson:

H. B. No. 590, A bill to be entitled "An Act providing for the collection of delinquent taxes; defining delinquent taxes and limiting penalties; requiring delinquent tax records up to and including March 1, 1941; requiring delinquent tax list to be prepared and posted; making provisions for the payment of delinquent taxes; providing the method and manner delinquent tax notices are to be given; setting out the provisions of said notice; providing for redemption of realty and method of perfecting tax deed, and securing possession, if property is not redeemed; making provisions for back assessing unrendered land where ownership is unknown, and providing method by which a claimant may establish his claim to such lands; providing that real estate assessed and valued in lump sum may be treated as one tract in the sale of the property for delinquent taxes, but owner may designate portion to be sold for taxes; prohibiting personal judgment for delinquent taxes on real property; prohibiting contracts for the collection of delinquent taxes on a percentage basis; defining tax units; providing for the removal of any officer or employee who fails or refuses to perform the duties required of him under this Act; declaring the invalidity of any provision of this Act shall not affect the validity of any other provision, repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Alsup (by request):

H. B. No. 591, A bill to be entitled "An Act designating this Act as the 'Anti-Loss Leader Act'; defining 'cost to the retailer'; providing for a mark-up to cover cartage costs of not less than three-fourths ($\frac{3}{4}$) of one per cent together with a mark-up of not less than six (6) per cent to cover a proportionate part of cost of doing business, by the retailer; providing for a mark-up of not less than three-fourths ($\frac{3}{4}$) of one per cent to cover cartage costs by the wholesaler and defining the term 'cost to the wholesaler'; defining the term 'replacement costs'; providing limitations under which one or more items shall be advertised, offered for sale, or sold with one or more other items; determining 'bona fide costs' and limiting the method of determining cost to the retailer and cost to the wholesaler; defining the terms 'sell at retail,' 'sales at retail,' and 'retail sale,' and defining the terms 'sell at wholesale,' 'sales at wholesale,' and 'wholesales'; defining the term 'retailer' and the term 'wholesaler'; providing that proposals to sell merchandise 'at less than cost' either by retailers or wholesalers with certain objectives or effects and results is contrary to public policy and contrary to this Act; providing a fine of not less than \$200.00 nor more than \$500.00 upon conviction as misdemeanor for violation of this Act; vesting jurisdiction in the several State courts to hear cases arising under this Act and directing the Attorney General, district attorneys and county attorneys to prevent and restrain violations under this Act, and providing for injunctive relief to persons damaged, or threatened with loss or injury by violation of this Act; providing certain limited conditions under which sales may be made not in violation of this Act; providing for the punishment of two or more persons whether engaged in retail or wholesale business should they conspire to agree to dictate or control the price at which goods, wares or merchandise shall be sold at retail or wholesale, in this State, by the passage and operation of this Act; declaring the purpose of the Legislature in passing this Act; pro-

viding a savings clause; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Winfree, Mr. Montgomery, and Mr. Howard:

H. B. No. 592, A bill to be entitled "An Act to adopt the provisions of the Uniform Trusts Act; defining certain terms used therein; providing when a debtor depositing funds in a bank becomes a trustee; forbidding the loaning of trust funds by a trustee to itself or related persons except under certain circumstances; forbidding a trustee from dealing with itself, either individually or as trustee of another trust; forbidding a corporate trustee to buy its own or an affiliate's securities; providing that a trustee may vote stock by proxy and hold it in the name of a nominee under certain conditions and liabilities; providing that the powers of trustee shall be attached to the office and be exercisable by a majority where there are three or more unless otherwise provided; providing for suits in contract and tort against the trustee in his representative capacity and for satisfaction out of trust assets under certain circumstances and providing for reimbursement to a trustee held personally liable under certain circumstances; determining how withdrawals from mingled funds shall be charged; providing for reconveyance in certain unenforceable oral trusts of real property under certain circumstances and for liability of the intended trustee under other circumstances; providing that the settlor shall have power to relieve the trustee from certain provisions hereof and that any beneficiary of full legal capacity may do likewise and may release the trustee from liability for past violations, and that a court of competent jurisdiction may do likewise; providing certain penalties if a trustee violates any provisions of this Act; and providing that this Act shall be interpreted to effectuate the purpose to make uniform the law of those states which enact it and that this Act may be cited as the Uniform Trusts Act, and that the invalidity of any portion of this Act shall not affect the balance thereof

and that all acts inconsistent herewith are repealed and that this Act shall apply only to trusts executed after the effective date hereof."

Referred to Committee on Banks and Banking.

By Mr. Skiles:

H. B. No. 593, A bill to be entitled "An Act providing for the appointment by the District Judge of the Sixteenth Judicial District of Texas, composed of the counties of Cooke and Denton, or the Judge of the Judicial District of which the counties of Cooke and Denton are a part thereof, of an official shorthand reporter for such district; providing his qualifications; providing that the salary of said official shorthand reporter shall be fixed and determined by the judge of said district and not otherwise; providing for the manner of payment of said salary and out of what fund; providing for transcript fees and allowance for expenses as provided in Chapter 56, House Bill No. 276, Acts Regular Session of the Forty-first Legislature, 1929, which allowances, as now provided by law being fixed and established as a part of this Act; and declaring an emergency."

Referred to Committee on Judiciary and Uniform State Laws.

By Mr. Reed of Dallas:

H. B. No. 594, A bill to be entitled "An Act making an appropriation out of the General Revenue of the State of Texas for the Secretary of State, for the purpose of compiling, editing, indexing, binding, and distributing the current laws; making the same immediately available; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Bullock, Mr. Harris of Hill, and Mr. Isaacks:

H. B. No. 595, A bill to be entitled "An Act levying a tax on the business of selling liquor on doctor's prescriptions of 50¢ on each sale thereunder; providing that such tax shall be paid by the seller of the liquor; providing for the allocation of funds derived from this Act; providing for the administration of this

Act and fixing penalties for the violation thereof; and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Stanford:

H. B. No. 596, A bill to be entitled "An Act creating the County Court at Law of Travis County, Texas; defining the jurisdiction of said court; regulating practice therein; prescribing the terms of said court; providing for clerk and seal for said court and prescribing the duties of the sheriff and county attorney in relation to said court; limiting the jurisdiction of the County Court of Travis County; and providing for the transfer of cases pending and to be filed in the County Court of Travis County to the said court hereby created, and for appeals from inferior courts to the court hereby created; and for appeals from said court; creating the office of judge of the County Court at Law of Travis County; providing for the appointment, election, removal, bond and salary of the judge of said court and prescribing his qualifications; providing for a special judge; providing for the disposition of fees; providing for a court reporter and transfer of juries; and declaring an emergency."

Referred to Committee on Judiciary and Uniform State Laws.

By Mr. Allison:

H. B. No. 597, A bill to be entitled "An Act providing for levying and collecting an Occupation Tax of an amount equal to twenty-five (25¢) Cents per long ton, or fraction thereof, of all coal produced by any person, firm, company, association of persons, or corporation who owns, controls, manages, leases, or operates any coal mine, or mines, or shafts, or who produces coal by any method, system or manner within this State; providing for reports on and payments thereof; directing that the income derived therefrom shall be deposited by the Comptroller to the credit of the Texas Old Age Assistance Fund for the payment of old age assistance benefits, and used exclusively therefor, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Hanna (by request):

H. B. No. 598, A bill to be entitled "An Act authorizing the State Highway Commission to issue a third number plate, tag, sticker, or device, for certain motor vehicles, and authorizing the Commission to make rules and regulations governing the manner, time and location that such plates, tags, stickers, or devices, be attached to such vehicles; providing for the purchase of same out of the funds of the State Highway Department, and the distribution of same by the Tax Assessor and Collector and/or Tax Collectors of the various counties; providing the violation of such rules and regulations be a misdemeanor, and providing the penalty therefor; repealing all laws or parts of laws in conflict herewith and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Lucas:

H. B. No. 599, A bill to be entitled "An Act relating to the operation of commercial motor vehicles, truck-tractors, trailers or semi-trailers, or any combination of such vehicles on the public highways of Texas; limiting the hours any person may operate any such motor vehicle; vesting the director of the State Department of Public Safety with authority to make rules and insure proper enforcement of this Act; providing a penalty; repealing all laws or parts of laws in conflict with this Act; providing a saving clause; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Lucas:

H. B. No. 600, A bill to be entitled "An Act requiring the State Department of Public Safety to inspect and test all commercial motor vehicles, truck-tractors, trailers and semi-trailers semi-annually; requiring immediate repair of defective equipment; vesting the State Department of Public Safety with authority to make rules and regulations and insure proper enforcement of this Act;

providing a penalty; providing a saving clause; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Carlton:

H. B. No. 601, A bill to be entitled "An Act requiring licenses for persons, firms or corporations holding commission auction sales of livestock, vesting administration of Act in Live Stock Sanitary Commission; fixing a license fee and procedure for application, denial and appeal; providing for display of license and penalties for violation of Act; providing for keeping of records; providing for establishment of special fund and making appropriation of Five Hundred (\$500.00) Dollars; and declaring an emergency."

Referred to Committee on Livestock and Stock Raising.

By Mr. Hardeman and Mr. Heflin:

H. B. No. 602, A bill to be entitled "An Act providing for the regulation of a person, firm, or corporation not residing in this State, or the agent, servant, or employee of any such person, firm, or corporation, to solicit or take subscriptions to or for any magazine or periodical published or printed without this State; providing for the issuance of a permit; providing for the designation of the Secretary of State of Texas as the agent for service for such person, firm, or corporation; providing for a fee for the issuance for permit to do business in Texas; providing a penalty for violation of this Act; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Hardeman and Mr. Heflin:

H. B. No. 603, A bill to be entitled "An Act providing for an appeal directly to the Supreme Court of Texas from any order of any district court of this State granting or denying any interlocutory or permanent injunction on the ground of the constitutionality or unconstitutionality of any statute of this State, or on the validity or invalidity of any adminis-

trative order issued by any State agency under any statute of this State."

Referred to Committee on Judiciary and Uniform State Laws.

By Mr. Brawner and Mr. Boone:

H. B. No. 604, A bill to be entitled "An Act amending Article 7047a, Sections 3 and 4, of the Revised Civil Statutes of Texas, as amended, providing for an increase in the amount of tax on coin-operated machines and providing for certain exemptions; and declaring a emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Love and Mr. Halsey:

H. B. No. 605, A bill to be entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to limit the length of freight trains; and providing a penalty for the violation of this Act; and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Baker:

H. B. No. 606, A bill to be entitled "An Act repealing Sections 2 and 3 of Article 3221a, Vernon's Revised Civil Statutes of the State of Texas, and repealing Chapter 162, page 313, Acts of the Forty-fifth Legislature; providing the State Board of Control may support and maintain a place for Negro orphans, Negro delinquent children, and Negro dependent and neglected children; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Dickson of Bexar:

H. B. No. 607, A bill to be entitled "An Act to establish a system of personnel administration based on merit principles and scientific methods governing the appointment of certain officers and employees of the State of Texas; and providing that all appointments and promotions to positions in the State service shall be made on the basis of merit and fitness to be ascertained by competitive

examinations; and providing for qualifying examinations for those now in the employment of the State."

Referred to Committee on State Affairs.

By Mr. Little:

H. B. No. 608, A bill to be entitled "An Act amending House Bill No. 438, Acts of the Regular Session, Forty-sixth Legislature, 1939, by eliminating from the provisions thereof counties having a population of not less than seven thousand seven hundred (7,700) and not more than seven thousand eight hundred (7,800) according to the Federal Census of 1930; and declaring an emergency."

Referred to Committee on Counties.

By Mr. Little:

H. B. No. 609, A bill to be entitled "An Act amending Senate Bill No. 367, Acts of the Forty-sixth Legislature, Regular Session, 1939, by eliminating from the provisions thereof all counties having a population of not less than three thousand, three hundred (3,300) and not more than three thousand, four hundred (3,400) according to the Federal Census of 1930; and declaring an emergency."

Referred to Committee on Counties.

By Mr. Little:

H. B. No. 610, A bill to be entitled "An Act amending House Bill No. 193, Acts of the Regular Session, Forty-sixth Legislature, 1939, by eliminating from the provisions thereof counties having a population of not less than seven thousand, seven hundred (7,700) and not more than seven thousand, eight hundred (7,800) according to the Federal Census of 1930; and declaring an emergency."

Referred to Committee on Counties.

By Mr. Stubbs:

H. B. No. 611, A bill to be entitled "An Act to amend and re-enact Senate Bill No. 36, Acts, 46th Legislature, Regular Session, entitled: An

Act creating a State Department of Public Welfare for the State of Texas; prescribing its rights, powers, functions, and duties; creating and providing for a State Board of Public Welfare; prescribing its rights, powers and duties; defining certain terms; providing for the administration of this Act; providing for payment of Old-Age Assistance; providing for assistance to needy blind persons, dependent and destitute children, and persons or families who are in dependent and needy circumstances; accepting for the State of Texas all of the provisions of the Federal Social Security Act, enacted by the Congress of the United States and approved March 14, 1935; transferring all the rights, powers and duties of the Division of Child Welfare of the State Board of Control to the State Department of Public Welfare; and abolishing the Division of Child Welfare of the State Board of Control; transferring all the rights, powers and duties of the Texas Relief Commission to the State Department of Public Welfare and abolishing the Texas Relief Commission; transferring all the rights, powers, and duties of the Texas Old-Age Assistance Commission to the State Department of Public Welfare; and abolishing the Texas Old-Age Assistance Commission; providing for the transfer of the staffs, records and physical properties of the Division of Child Welfare of the Board of Control, the Texas Relief Commission, and the Texas Old-Age Assistance Commission to the State Department of Public Welfare; designating the State Department of Public Welfare as the State Agency to cooperate with the Federal Government in the administration of the provisions Title I, Title IV, Part 3 of Title V, and Title X, of the Federal Social Security Act, and other titles; designating the State Department of Public Welfare as the State agency to cooperate with the Children's Bureau of the United States Department of Labor in certain matters; designating the State Department of Public Welfare as the State agency to cooperate with the Federal Government in the administration and distribution of Federal Surplus commodities and other Federal resources; providing for the transfer of certain funds to

the credit of the State Department of Public Welfare; creating certain funds in the State Treasury; making appropriations; providing penalties for violation of provisions of this Act; providing a saving clause; providing the effective date of this Act; providing schedule for proration of funds; repealing House Bill No. 7, Chapter 435, Acts of the Regular Session of the Forty-fifth Legislature, and all other Acts, laws or parts thereof in conflict with this Act, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Mills:

H. B. No. 612, A bill to be entitled "An Act establishing a State liquor monopoly and to be known as the Texas Liquor Control Act; defining terms; providing for the establishment of State liquor stores and the fixing of prices for Ethyl alcohol; vesting the administration of this Act in the Liquor Control Board and providing for the creation of such Board; prescribing limitations upon sales at stores and regulating each sale thereat; providing for and classifying permits and regulating the application therefor; providing for the cancellation of permits and the surrender of cancelled and suspended permits; authorizing physicians, dentists, and persons in charge of hospitals or sanatoriums to issue permits; providing for and classifying various licenses and setting the fees therefor; regulating out of state brewers and requiring such brewers to procure a certificate from the Board; regulating beer importers and licenses therefor; regulating the purchase of beer from such importers; providing for the regulation and license of liquor importers, domestic wine wholesalers, dining, club, and buffet cars; providing for a beer retailers' license and setting the fees therefor; providing for wine retailers' licenses and the fees therefor; providing for the levy of a beer tax and monthly reports thereunder; regulating the sales of domestic wine; regulating the issuance, cancellation, and expiration of licenses; prohibiting the doing of any act re-

quiring any license without having secured a license; regulating gifts of liquor, sales of liquor by employees, the sale of home-made beers and wines and the unlawful possession of unsealed liquor and providing exceptions thereto; providing the procedure for prosecution for violations of the provisions of this Act; prohibiting the sale of liquor to minors and to various other ineligible persons; prescribing label requirements on all liquors; providing the method of sales by the Board; authorizing the inspection of premises used in the manufacture, storage or sale of liquor; providing for an order of interdiction with reference to habitual drunkards; authorizing the Board to inspect the books and records of companies engaged in the manufacture of liquor or holding a license to dispense liquor; defining criminal offenses under this Act and the procedure in prosecution; prescribing the jurisdiction of the court with reference to proceedings hereunder; providing for the creation of the Texas Liquor Control Board, its members, their appointments, their salary, their terms of office and their duties; authorizing the Board to employ, and fix salaries; prescribing the procedure for the purchase of liquor by the Board; defining the powers of the Board; providing for an audit of the books of the Board by the State Auditor; providing for an appropriation; requiring reports by the Board to the Governor; creating the 'Liquor Revolving Fund' and regulating the administration thereof; providing for the promulgation of rules and regulations by the Board for specific purposes; providing for local option election and prescribing the procedure thereunder and the method of holding such election; prohibiting a manufacturer or wholesaler of liquor from having financial interest in retail outlets for liquor; defining offenses under this Act and prescribing penalties for the violations thereof; and providing that if any part or section of this Act be adjudged invalid the validity of the remainder of the Act shall not be impaired or invalidated thereby."

Referred to Committee on State Affairs.

By Mr. Burnaman:

H. B. No. 613, A bill to be entitled "An Act repealing Article 2883a, Chapter 17, Revised Statutes of Texas, Acts of the 46th Legislature, and declaring an emergency."

Referred to Committee on Education.

By Mr. Ferguson (by request):

H. B. No. 614, A bill to be entitled "An Act amending Article 2784, Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Ferguson (by request):

H. B. No. 615, A bill to be entitled "An Act relating to taxes in common school districts; authorizing districts to increase tax levies for debt service to one dollar and total tax for maintenance and bonds to not more than one dollar and fifty cents under the circumstances prescribed in this Act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Ferguson:

H. B. No. 616, A bill to be entitled "An Act amending Article 1146, Penal Code of Texas, by increasing the penalty for violations thereof and making the same a felony and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Klingeman:

H. B. No. 617, A bill to be entitled "An Act authorizing the establishment or incorporation of Sanitary Districts under the provisions of Section 52 of Article 3, Sections 32 and 59 of Article 16 of the Constitution of Texas; when same can be done; stating the method of petition, notice of hearing, notice of election, and order showing the result; who shall have the right to vote and form of ballot to be used; providing for election of a board of trustees for the government, control and management of each sanitary district and their qualifications; granting

the board of trustees power to pass ordinances, rules and regulations for proper management and conduct of business; giving authority to create indebtedness; providing penalties for violations of sanitary laws; giving board of trustees right to make contracts for water or sewage treatment with any governmental agency; limiting bonded indebtedness of district; giving district boards power and authority to levy and collect taxes against real property in the district, and the method of determining the amount; setting forth the method to be used to include or exclude territory from the district; authority to issue bonds; providing that if any part of this Act shall be declared unconstitutional or inoperative, it shall not affect any other part thereof and shall not repeal or affect any other act or part thereof."

Referred to Committee on Public Health.

By Mr. Thornton and Mr. Lowry:

H. B. No. 618, A bill to be entitled "An Act to amend Article 2779 of the 1925 Revised Civil Statutes of Texas by adding Article 2779a, to provide for the election of Tax Assessors and Collectors in Independent School Districts under certain circumstances; this Act to apply only to the Independent School Districts in those counties having a population of no less than nineteen thousand, two hundred and twenty (19,220) and no more than nineteen thousand, two hundred and forty (19,240), according to the last Federal Census; and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Stanford and Mr. Carrington:

H. B. No. 619, A bill to be entitled "An Act amending Senate Bill No. 6 of the Regular Session of the Forty-second Legislature; and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Bell:

H. B. No. 620, A bill to be entitled "An Act amending Section 2 of

Chapter 5, Acts, Second Called Session of the Forty-third Legislature, as amended by Chapter 459, Acts, Second Called Session of the Forty-fourth Legislature, and declaring an emergency."

Referred to Committee on Education.

By Mr. Evans and Mr. Hutchinson:

H. B. No. 621, A bill to be entitled "An Act amending Article 1645a-1, Chapter 2, Title 34, Revised Civil Statutes of Texas of 1925, providing for County Auditors in certain counties to act as Purchasing Agents; compensation; and Auditors for school districts; and declaring an emergency."

Referred to Committee on Counties.

By Mr. Lyle:

H. B. No. 622, A bill to be entitled "An Act amending Article 1115, Chapter 10, Title 28, Revised Civil Statutes of Texas, 1925, so as to provide for the appointment of a Board of Trustees by the City Council of such towns consisting of not more than five members, one of whom shall always be the Mayor, at any time after certain encumbrances have been created; repealing all laws or parts of laws in conflict therewith and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. McAlister:

H. B. No. 623, A bill to be entitled "An Act restraining persons from holding a State elective or appointive office, the compensation of which is in excess of fifteen hundred dollars (\$1,500.00) and being a candidate for another State office during his term of office. Provided it shall not apply should his term of office end by law prior to the date he would take the oath of the office he then seeks. Providing means of declaring the office vacant and the duties of the Attorney General. Providing further that this law shall not apply to Members of the Legislature or to those seeking renomination to the office they then hold and declaring an emergency."

Referred to Committee on State Affairs.

By Miss Files, Mr. Allen, Mr. Kelly, Mr. Harris of Dallas and Mr. Howington:

H. B. No. 624, A bill to be entitled "An Act amending Chapter 2 (H. B. No. 614) of the Act of June 2, 1939, page 346, General Laws of the 46th Legislature, to provide for uniform fees to be charged for the issuance of delayed birth and death certificates by the Probate Court, the clerk thereof and the State Registrar; and declaring an emergency."

Referred to Committee on Judiciary and Uniform State Laws.

By Mr. Thornton and Mr. Klingeman:

H. B. No. 625, A bill to be entitled "An Act providing for the joinder of all parties contributing to the pollution of any stream, water course, or other body of water in this State, all parties contributing to the damages may be joined in one action. Each party shall be jointly and severally liable for damages resulting from such pollution; leaving to the jury the amount of damages to be assessed each party; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judiciary and Uniform State Laws.

By Mr. Hughes (by request) and Mr. Lansberry (by request):

H. B. No. 626, A bill to be entitled "An Act to declare valid and legal the establishment and organization of housing authorities, all bonds, notes, contracts, agreements, obligations, and undertakings of such housing authorities, and all proceedings, acts, and things heretofore undertaken, performed or done with reference thereto; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Hughes (by request) and Mr. Lansberry (by request):

H. B. No. 627, A bill to be entitled "An Act to amend Section 12 of House Bill Number 821, Chapter

462, Page 1144, Regular Session of the Forty-fifth Legislature, as amended by House Bill Number 102, Chapter 41, Page 1924, Second Called Session of the Forty-fifth Legislature, as amended by House Bill Number 834, Chapter 1, Page 427, Regular Session of the Forty-sixth Legislature, and to add thereto seven new sections to be known as Sections 23a, 23b, 23c, 23d, 23e, 23f and 23g; to authorize housing authorities to acquire by the exercise of the power of eminent domain any interest in real property; to create housing authorities for counties; to provide for the creation of regional housing authorities; to authorize the undertaking of housing projects for farmers of low income; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Bean:

H. B. No. 628, A bill to be entitled "An Act to repeal House Bill No. 18, Chapter 400 of the General Laws of the 44th Legislature, First Called Session, and further described as Article 1111 d Sections 1 to 11 inclusive, of the Penal Code providing for store licenses, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Lyle:

H. B. No. 629, A bill to be entitled "An Act authorizing the State Board of Education to accept from the City of Corpus Christi a tract of land for a marine laboratory; appropriating the sum of \$50,000.00 for the purpose of building and equipping this laboratory, conditioned upon the City of Corpus Christi conveying said land to the State; providing that the Texas College of Arts and Industries shall have charge of the construction of such marine laboratory and the purchase and installation of equipment therefor, subject to the supervision of the State Board of Education; providing that said marine laboratory shall be under the direction of the Texas College of Arts and Industries, after its completion, and shall be available for use

by all Texas colleges; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Carrington (by request):

H. B. No. 630, A bill to be entitled "An Act amending Article 249a, Acts of 1937, 45th Legislature, p. 1279, Ch. 478, Section 6; providing further that certain public buildings may be constructed only when plans have been prepared by, and the construction is supervised by a registered architect; amending Section 23 of said Article by adding a new paragraph relating to violations and penalties; providing certain exemptions; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. McMurry:

H. B. No. 631, A bill to be entitled "An Act amending Chapter 10, Special Laws, 44th Legislature, Regular Session, as amended in House Bill No. 30, 'Title: Stock Laws,' Chapter 1, Acts of the 46th Legislature, Regular Session, making Clay County eligible to the provisions of this Act; and declaring an emergency."

Referred to Committee on Counties.

By Mr. Bruhl:

H. B. No. 632, A bill to be entitled "An Act to amend Article 2218, Title 41, Chapter 9, of the Revised Civil Statutes of 1925, by providing that in cases of foreclosure of real property where the proceeds of the sale shall be insufficient to satisfy the judgment on the debt that the party obligated shall have the right to plead and prove the actual value of the property at the time and place of such sale and shall be entitled to a credit of any difference between its actual value and the sale price of such property; and providing that any action or writ seeking to enforce any deficiency judgment shall be commenced or application made therefore within six months from the date of any sale of real estate, and declaring an emergency."

Referred to Committee on Judiciary and Uniform State Laws.

HOUSE JOINT RESOLUTIONS ON
FIRST READING

The following House Joint Resolutions, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Brawner and Mr. Phillips:

H. J. R. No. 23, Proposing an amendment to Article 3 of the Constitution of the State of Texas authorizing the lending of Two Million Dollars (\$2,000,000.00) of the Permanent School Fund for the construction of the State office building, or buildings; providing for repayment to the Permanent School Fund; providing for the submission of this Amendment to the voters of this State; and providing for the necessary proclamation and expenses of publication.

Referred to Committee on Constitutional Amendments.

By Mr. Heflin and Mr. Winfree:

H. J. R. No. 24, Proposing an amendment to Section 22 of Article V of the Constitution of Texas by adding thereto authority for the Legislature to increase, diminish or change the probate or other jurisdiction of the County Court and to create additional courts having either exclusive jurisdiction, or concurrent jurisdiction with the County Court in such matters.

Referred to Committee on Constitutional Amendments.

By Mr. Reed of Dallas and Mr. Crosthwait:

H. J. R. No. 25, Proposing an amendment to Article VII of the Constitution of the State of Texas, by adding thereto immediately after Section 9 of said Article VIII, two new sections to be known as Section 9-a, and 9-b; limiting the assessment and levying of ad valorem taxes for the general fund of the State to twenty (\$.20) cents on each one hundred dollars valuation of property, providing that Section 9-a shall modify and be in lieu of a part of Section 9, of Article VIII; providing exceptions to the limitations set up in Section 9-a; providing for the

levying by the Commissioners' Court in any county of a tax not to exceed fifteen (\$.15) cents on each one hundred dollars valuation of property in such county for the exclusive care of indigent and destitute people who are residents of such county, and for the purpose of providing, maintaining, and operating hospitals and like institutions for the care of such people; and providing a method for determining and fixing the amount of such tax and fixing the period of time such tax shall be in force; and limiting the use of the tax funds collected, and prohibiting on and after January 1, 1944, the expenditure of any sum out of the General Fund of any county for the purpose mentioned herein; and prohibiting the State expending any funds whatsoever for the purpose aforesaid; except that the State may make appropriation not to exceed Three Hundred Thousand Dollars annually to maintain an administrative agency for the coordination of county aid under the provisions of this amendment; co-ordinating this amendment with other sections of the Constitution; and limiting expenditures by counties for such purposes to the amount of tax collected, except in certain instances; and prohibiting the creation of any deficit or the pledging of current or future revenue from such tax; providing for the submission of this amendment to the voters as required by the Constitution and for necessary proclamation, and making an appropriation therefor.

Referred to Committee on Constitutional Amendments.

By Mr. Cato:

H. J. R. No. 26, Proposing an amendment to the Constitution providing that no voter shall ever be denied the right to vote because of failure to pay poll tax and authorizing the Legislature to provide for the registration of all voters: providing for the necessary publication and election; and make an appropriation to pay for same.

Referred to Committee on Constitutional Amendments.

By Mr. McGlasson, Mr. McNamara and Mr. Davis.

H. J. R. No. 27, Proposing an amendment to Section 1a, Article VIII of the Constitution of the State of Texas, exempting Four Thousand (\$4,000) Dollars of the assessed value of all residence homesteads as now defined by law from all taxation for all State, County and City purposes, excepting, until the expiration of such remission period or the need of such remission, that portion of the State ad valorem taxes remitted within certain counties and political subdivisions now receiving a remission of such taxes; providing for submission of same to the qualified electors of the State; providing for the necessary proclamation and making an appropriation to defray the expenses of the proclamation, publication and election.

Referred to Committee on Constitutional Amendments.

By Mr. Hobbs and Mr. Spacek:

H. J. R. No. 28, Proposing an amendment to the Constitution of the State of Texas fixing the term of office for Governor, Lieutenant Governor, Attorney General, State Representatives, State Comptroller, State Treasurer, State Land Commissioner, State Superintendent of Public Instruction, Clerk of the District Court, District Attorney, Criminal District Attorney, County Judge, County Attorney, County Clerk, Sheriff, County Commissioners, Justice of the Peace, Constable, County Superintendent, County Tax Collector and County Treasurer at four (4) years; fixing the meeting of the Legislature at three meetings each year, of thirty (30) days' duration, in January, May and September, and subject to call by the Governor into extra session.

Referred to Committee on Constitutional Amendments.

By Mr. Dickson of Bexar:

H. J. R. No. 29, Proposing an amendment to Section 7 of Article XV of the Constitution of Texas to authorize a Governor of Texas to remove his own appointees from office without trial.

Referred to Committee on Constitutional Amendments.

PROVIDING FOR JOINT SESSION OF THE LEGISLATURE

Mr. Kersey offered the following resolution:

H. C. R. No. 50, Providing for Joint Session of the Legislature to hear the message of Governor W. Lee O'Daniel.

Be it resolved by the House of Representatives, the Senate concurring, That the two Houses meet in Joint Session at ten-fifteen a. m., Thursday, February 27, 1941, for the purpose of hearing the message of His Excellency, the Honorable W. Lee O'Daniel, Governor of the State of Texas.

The resolution was read second time and was adopted.

MOTION TO INSTRUCT COMMITTEE ON STATE AFFAIRS

Mr. Davis moved that the Committee on State Affairs be instructed to report House Simple Resolution No. 130 to the House not later than next Monday, March 3.

The motion was lost by the following vote:

Yeas—56

Allison	Love
Anderson	Lowry
Bailey	Lucas
Baker	McCann
Brawner	McDonald
Burkett	McLellan
Burnaman	McMurry
Carrington	Manning
Connelly	Martin
Craig	Matthews
Davis	Murray
Deen	Pace
Dickson of Bexar	Parker
Donald	Pevehouse
Dove	Phillips
Duckett	Price
Evans	Reed of Bowie
Favors	Ridgeway
Ferguson	Roark
Gandy	Senterfitt
Hargis	Sharpe
Helpinstill	Simpson
Hobbs	Smith of Bastrop
Hoyo	Spacek
Kennedy	Walters
King	White
Knight	Whitesides
Lock	Winfree

Nays—67

Allen	Hughes
Alsup	Humphrey
Avant	Hutchinson
Bean	Isaacks
Benton	Jones
Bridgers	Kelly
Brown	Lansberry
Bruhl	Leyendecker
Bullock	Lyle
Carlton	McAlister
Cato	McGlasson
Clark	McNamara
Cleveland	Markle
Coker	Mills
Colson, Mrs.	Montgomery
Crossley	Moore
Crosthwait	Morgan
Dickson of Nolan	Morris
Ellis	Morse
Eubank	Nicholson
Fitzgerald	Reed of Dallas
Fuchs	Roberts
Halsey	Rhodes
Hanna	Shell
Hardeman	Smith of Atascosa
Harris of Dallas	Spangler
Harris of Hill	Stinson
Hartzog	Taylor
Heflin	Thornton
Henderson	Turner
Hileman	Voigt
Howard	Wattner
Howington	Weatherford
Huffman	

Absent

Blankenship	Kersey
Boone	Kinard
Bray	Klingeman
Bundy	Lehman
Celaya	Little
Chambers	Manford
Daniel	Sallas
Dwyer	Skiles
Files	Stanford
Goodman	Vale

Absent—Excused

Bell	Huddleston
Garland	Rampy
Gilmer	Stubbs

MESSAGE FROM THE SENATE

Austin, Texas, February 27, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

H. C. R. No. 50, Providing for a Joint Session of the House and Senate.

Respectfully,

BOB BARKER,

Secretary of the Senate.

COMMITTEE APPOINTED TO ESCORT GOVERNOR W. LEE O'DANIEL TO SPEAKER'S STAND

The Speaker announced the appointment of the following Committee on the part of the House to escort the Governor to the Speaker's Stand:

Messrs. Turner, Weatherford, Gandy, Smith of Bastrop and Senterfitt.

ADDRESS BY GOVERNOR W. LEE O'DANIEL

(In Joint Session)

In accordance with the provisions of House Concurrent Resolution No. 50, adopted by the House and Senate on this morning for the purpose of hearing His Excellency, Governor W. Lee O'Daniel, at 10:15 o'clock a. m., today, the Honorable Senators escorted by Hon. Bob Barker, Secretary of the Senate, were announced at the bar of the House and being duly admitted were escorted to seats prepared for them along the aisle.

Lieutenant Governor Coke R. Stevenson was escorted to a seat on the Speaker's Stand.

Honorable W. Lee O'Daniel, and party, escorted by Messrs. Turner, Weatherford, Gandy, Smith of Bastrop and Senterfitt, Committee on the part of the House, were announced at the bar of the House and were escorted to seats on the Speaker's Stand.

Lieutenant Governor Coke R. Stevenson called the Senate to order and stated that the two Houses were in Joint Session for the purpose of hearing Governor W. Lee O'Daniel.

The Lieutenant Governor directed the clerk to call the roll of the Senate.

The roll of the Senate was called and the following Senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

A quorum of the Senate was announced present.

Speaker Homer Leonard called the House to order and directed the Clerk to call the roll of the House.

The roll of the House was called and the following Members were present:

Mr. Speaker	Dickson of Nolan
Allen	Donald
Allison	Dove
Alsup	Duckett
Anderson	Ellis
Avant	Eubank
Bailey	Favors
Baker	Ferguson
Bean	Files
Benton	Fitzgerald
Boone	Fuchs
Browner	Goodman
Bridgers	Halsey
Brown	Hanna
Bullock	Hardeman
Bundy	Hargis
Burnaman	Harris of Dallas
Carlton	Harris of Hill
Carrington	Hartzog
Cato	Heflin
Celaya	Helpinstill
Chambers	Henderson
Clark	Hileman
Cleveland	Hobbs
Coker	Howard
Colson, Mrs.	Howington
Connelly	Hoyo
Craig	Huffman
Crossley	Humphrey
Crosthwait	Hutchinson
Davis	Isaacks
Deen	Jones
Dickson of Bexar	Kelly

Kennedy	Morse
King	Murray
Klingeman	Nicholson
Knight	Parker
Lansberry	Pevehouse
Lehman	Phillips
Little	Reed of Bowie
Lock	Reed of Dallas
Love	Ridgeway
Lowry	Roark
Lucas	Roberts
Lyle	Rhodes
McAlister	Shell
McCann	Simpson
McDonald	Skiles
McGlasson	Smith of Atascosa
McLellan	Spacek
McMurry	Stanford
McNamara	Stinson
Manning	Taylor
Markle	Thornton
Martin	Voigt
Matthews	Walters
Mills	Wattner
Montgomery	Weatherford
Moore	White
Morgan	Whitesides
Morris	Winfree

Absent

Blankenship	Leyendecker
Bray	Manford
Bruhl	Pace
Burkett	Price
Daniel	Sallas
Dwyer	Senterfitt
Evans	Sharpe
Gandy	Smith of Bastrop
Hughes	Spangler
Kersey	Turner
Kinard	Vale

Absent—Excused

Bell	Huddleston
Garland	Rampy
Gilmer	Stubbs

A quorum of the House was announced present.

Speaker Leonard then presented Honorable Reese Turner, who presented Governor W. Lee O'Daniel to the Joint Session.

Governor O'Daniel then addressed the Joint Session as follows:

February 27, 1941.

To the Members of the Forty-seventh Legislature:

In my message to the Members of

the Forty-seventh Legislature, January 16th, 1941, I stated that I would deliver later a special message to you dealing with the problems of agriculture, and this I shall now do.

Before I became Governor of Texas I broadcast daily for many years, advocating the development of Texas industry and Texas agriculture. I have carried this work right with me into the Governor's Office, and we are beginning to see some fruits of our labors. More than one hundred million dollars worth of new industries, both large and small, have been established in Texas during the past two years, exclusive of the enormous development caused by the National Defense Program. It is my honest opinion that we have only scratched the surface of Industrial Development, and that Texas is destined to become the greatest Industrial State in the Union.

Along with this industrial growth will come tremendous gains and advantages to agriculture, by virtue of increased markets to enlarged industrial populations gainfully employed and through the development of further uses, here at home, for our raw materials. But there are other greater gains and advantages which can accrue to agriculture in Texas, if proper attention, planning and constructive effort is given to the matter. It is of this greater development of Texas agriculture that I desire to address you today.

There are some States in this Union that are primarily industrial, and in which very little can be accomplished agriculturally. Contrariwise, there are some States primarily agricultural, in which there is very little possibility for industrial development. But Texas, fortunately, has a distinct advantage over these other States in that Texas has all the basic essentials for a full and completely balanced development of both industry and agriculture.

Here in Texas, from our forests and level terrain of East Texas where timber and all kinds of vegetables grow, to our high plateaus of West Texas, where the richest of small grains ripen in the clear sun-kissed air; southward to the Magic Valley, where the most delicious of citrus fruit is grown in abundance, and on over seacoast,

plains, mountains and valleys, we find a variety of soil, both irrigated and watered, with generous rainfall which will produce almost every kind of grain and vegetable plants known to man. Also, in this vast expanse of fairyland, there is found the natural habitat for almost every kind of tame or wild animals and fowl. Fish, and other sea food are found in abundance in our limitless salt water and in our numerous and enormous lakes and streams. All this but faintly describes our one hundred and seventy million acre "Garden of Eden". Add to this the most mild and healthful open all-year-'round climate to be found anywhere in the world, and on top of all of it, consider our strategic and centrally-located position on the map of the United States for domestic distribution of our products, and our great seaports on the calm open-year-around Gulf of Mexico for foreign distribution of our products, when world destruction ends and world rebuilding and development starts, and you have a most inspiring picture of an ideal State — and that State is Texas. To this picture must be added the creative mind of man, and the guiding hand of genius. God has most certainly done His part. Man has made a feeble effort to develop this place. Politics has laid its cold, slimy hands on this treasure, and has slowed the wheels of progress to a snail-pace. This Forty-seventh Texas Legislature has the opportunity of a life-time to place agriculture in Texas on a pedestal and to cause the Lone Star of Texas to shine with a brilliance that will be clearly visible around the world.

I shall now try to paint the picture of what I believe should be done to place agriculture in Texas in its rightful place. By Agricultural Development I mean to include livestock raising, poultry raising, dairying, as well as the development and expansion of grain production, fruit and vegetable raising, forestry, shrubbery and flower cultivation, and everything pertaining to the soil and water of our State, as well as the propagation and protection of wild life, and the protection of our soil from erosion by water or wind, and all other problems related to our agricultural domain.

I am persuaded that regardless of the industrial development which comes to Texas, agriculture, when taken in its broadest sense, will remain one of our most important industries, and it will be fortunate for the State if such is the case because it is a well established fact that, throughout this whole nation, the people who live on the farms and ranches, these people who produce the food to feed the nation, are not only engaged in the most essential industry that we have, but they have always been the backbone of the sound, conservative sentiment of this nation.

At this time when we are seeking throughout the land to promote national defense, we proceed with confidence and certainty that while the Fifth Columnists may invade our cities to some extent, while the racketeers may gain a foothold, as they have already done in some of our cities, we can rely with confidence on the fact that the great agricultural population of this State will always be the balance wheel for sound government as well as for sound policies of finance. There is, therefore, something to be gained in addition to the mere making of dollars when the State Government or when the Federal Government aids the farmers, ranchmen and the fruit and vegetable growers of this nation. We are not only advancing the interests of a fundamental, essential industry, but at the same time we are promoting a stable citizenship.

It is not necessary for me to enumerate all of the difficulties under which those engaged in agricultural pursuits are now laboring. It is a well known fact and an accepted fact that because of the very nature of those engaged in agriculture, because of their independence of mind and thought, they have never sought nor have they ever received from government the same consideration that has been received by many well-organized minorities within this nation. And it is gratifying to see that throughout this broad land today the farmers, the ranchmen, and the fruit and vegetable growers are waking up to the fact that it is necessary for them to begin to fight their own battles to the end that they may re-

ceive from government not special favors, but fair treatment.

Since I assumed the office of Governor I have traveled over most of this State; I have talked with farmers; I have talked with fruit and vegetable growers; and I think I know something about what they would like for the State of Texas to do to assist them in meeting the problems which they have before them.

Sometime ago, in my efforts to promote industrial development throughout this State, I called upon local public officials to appoint committees in the various counties, cities and towns who would be willing to aid in the problems which arise from day to day in promoting a sound industrial development of this State. These committees were appointed and at a later time I should like to make available to the Legislature somewhat in detail an account of the tremendous services which these committees are now rendering, and which they have rendered in advancing this industrial program of Texas. Not long ago, I wrote to the members of these committees and I told them I was very much interested in finding out just what the farmers—and by farmers, I mean the real dirt farmers, not the political farmers—of Texas felt that the State could do which would be helpful to them in handling their problems. I asked them to give me the names of a number of real dirt farmers in their communities, men who were making their living on the farm, both land owners and tenants; and I received over twenty-five thousand names. I wrote a letter to these twenty-five thousand farmers as follows: "Dear Sir: The Texas Legislature will soon convene, and the lobbyists and professional politicians will be swarming around here trying to get special legislation to benefit their various interests, but I do not know of any of them trying to help the farmers. I mean the farmers who actually milk the cows and slop the hogs and feed the chickens and plow the ground. . . . It is my sincere desire to have this State perform some service that will be beneficial to the farmers of Texas, and I intend to send them a message asking for

some constructive legislation. Before completing this message, and sending it to the Legislature I would like to hear from you and get your views, as a real farmer. . . . I wish you would turn this sheet of paper over, and write me what, if anything, the Texas State Government has ever done to help you as a farmer, and also state what you think this State of Texas can do to help you as a farmer, and mail your reply to me in the enclosed self-addressed, stamped envelope. . . . In making reply please do not say anything at all about what the United States Government has done, but confine your remarks to what the Texas State Government has done to help you in your farming business, if anything. Also what you believe the Texas State Government could or should do to help you. . . . Please try to answer this by return mail, and with best personal regards, I beg to remain. . . ." I have received thousands of letters in reply, and most of these letters I have received were not written on a typewriter; they were written on tablet paper with a pencil. They were sincere letters and out of these letters came many helpful suggestions. It would, of course, be cumbersome to include in this message this vast flood of replies; but I was impressed with this fact, that while generally speaking, the farmers and ranchmen of Texas are not asking for any hand-out, they do want the facilities of the State to be made available to them immediately to help them solve many of their problems. One thought seemed to be expressed more often than any other and it was that nothing would ever be done for the farmers that would be of lasting value to the State until the control of the program is put in the hands of farmers.

In this connection, I have been very much impressed with the necessity for doing just that thing, that is, putting the control of the farm program in the hands of the farmers. During the past two years, I have discussed this theory with farmers all over Texas where I have had an opportunity to talk of it and I find that uniformly they believe that if any really useful service is to be rendered the farmers of this State, it will have to come by putting the

control and administration of the agricultural program in the hands of the real dirt farmers, and ranchmen, and fruit and vegetable growers of this State, because they are the people who know what the problem is and they are the people, if you will give them an opportunity with adequate support from the State, who will be able to do something about it. I do not think I know, I do not think the Members of the Legislature really know, what all of the problems of agriculture are and if we knew what all those problems were today, we would not know what they were going to be next month, or next year, or two years from now. Therefore, if the State Government is actually to serve the farming class of Texas, we are going to have to put the control of agriculture in the hands of farmers so that the whole administration will be sympathetic to the pressing and continually changing needs of the agricultural class, and in order that it will be responsive to all other needs as they may develop.

Last year the Legislature passed a soil conservation bill and I have heard one phase of that bill commented upon more favorably than any other phase, and that is the plan of control which was set up. You will recall that in the soil conservation bill (Chapter 3, Acts of the Regular Session, 46th Legislature) a State Soil Conservation Board was established, to consist of five members, and the State was divided into five districts. A member of the Board was elected from each of the five districts. The law provided that the Commissioners Court of each county within thirty days after the Act became effective, should call a convention of land owners in each precinct and the majority of the land owners attending the convention would elect a member of the County Soil Conservation Advisory Committee; then each County Soil Conservation Committee would elect a delegate to attend the State District Conservation Convention and at this Convention a majority of the delegates would elect a member of the State Soil Conservation Board.

Now, in my judgment, you have here a pattern which has the ap-

proval of the Department of Agriculture in Washington, and one which has proved workable here in this State. Under the plan of selecting the Soil Conservation Committee, only land owners in the various precincts were permitted to vote. But, in setting up a plan to control the whole agricultural structure, it would be necessary to permit all farmers, ranchmen, dairymen, poultry raisers, fruit and vegetable growers to vote in these elections regardless of whether they were or were not land owners because you would be dealing with a problem in which all would have a mutual interest. It would also be necessary to have more districts in the State in order that there might be more complete representation.

Obviously, the present system of State control of agriculture does not leave the control actually in the hands of the farmers of this State. Thousands upon thousands of the citizens of Texas who live in the cities vote for the chief agricultural officer—the Commissioner of Agriculture—and it is needless to say that most of the people who live in the cities know but little, if anything, of the problems of agriculture. Another thing is true, the office is right in the middle of State politics. Being a good hand-shaker is a far better qualification for getting elected Commissioner of Agriculture, than knowing the agricultural problems of the State. Of course, under the present system, the State may accidentally get a very competent commissioner, but when it does, it is in spite of the system rather than because of it.

We hear a great deal of talk about the necessity for combining the various departments of the State Government, and I think it is a well established fact that whenever departments of government can be combined and put under one coordinating management, the State's money will be saved, and, at the same time, better service will be rendered. And I believe that consolidations when made, should be made on the principle of building together, in one coordinating management, those departments dealing primarily with closely related problems.

After giving this matter the most careful thought and attention, after talking to farmers from every section of this State, and after reading the thousands of letters which I have received, I have reached the conclusion that you could improve the service to agriculture in Texas by combining a number of governmental agencies which deal directly with problems essential to agriculture and I recommend that the following agencies as they now exist be abolished: State Department of Agriculture, State Board of Water Engineers, Livestock Sanitary Commission, Game, Fish and Oyster Commission, and the Soil Conservation Board, and that all of the duties now performed by all of these agencies be placed in the hands of a five member "State Board of Agriculture," to be selected as hereinafter suggested. At the last session of the Legislature we transferred to the State Land Office certain phases of the work being done by the State Board of Reclamation Engineers. I think that such of this work as is essential should be returned to the control of the State Board of Agriculture.

Now as for the method of selecting the Members for this State Board of Agriculture, I believe that the State should be divided into a convenient number of districts. Probably the thirty-one senatorial districts would be satisfactory. The bill should provide for each county to hold conventions in each of the commissioner precincts and each precinct elect a Member to the County Agricultural Advisory Board. Then this County Agricultural Advisory Board should elect one representative to attend the district meeting and at the district meeting there should be elected a member of a "State Agricultural Advisory Board." Then the thirty-one members of the State Agricultural Advisory Board should select five members who would compose the "State Board of Agriculture." These five members should be paid a per diem basis plus actual traveling expenses. The most important duty which should be assigned to this State Board of Agriculture would be that of formulating policies and selecting a Commissioner of Agriculture,

charged with the responsibility of serving as the executive officer of the Board. The law should provide for the following departments within the State Board of Agriculture: Livestock Sanitary Department; Game, Fish and Oyster Department; Reclamation and Conservation Department; and other departments as deemed necessary by the State Board of Agriculture, and the heads of these departments should be named by the Commissioner of Agriculture, subject to confirmation of the State Board of Agriculture.

Certainly there can be no question that the Livestock Sanitary Commission work belongs in the department of agriculture.

I am certain that if any effective work is ever done to develop the tremendous possibilities which Texas has, to restore wild life in this State, it is going to be done only by close cooperation with the people who own the land on which we hope to promote the restoration of game and fish. I am thoroughly out of sympathy with the present plan, regardless of who executes the plan, because as I see it, it has been an almost total failure. I do believe that in transferring this Game, Fish and Oyster work to the control of an agricultural board, that the law should provide that all of the revenue now coming to that department and that all revenue which may be made available in the future through the collection of fees shall be used exclusively for the purpose of conserving and developing fish and game within the State, because it would obviously be unfair to levy fees on the sportsmen of this State for this purpose and then use the money for some other purpose. Furthermore, I think that the law which provides for the collection of fees should be so amended as to make available more revenue to this department. I think any man should be free to hunt on his own land with or without a license, so long as he hunts only during the legal seasons, but I think a fee of at least three dollars should be required for any man who desires to hunt all over the county, and I think a fee of at least ten dollars should be required of those who desire to hunt outside of their county and probably

fifty or a hundred dollars for those who come in from outside the State.

I have talked to many people who hunt and fish, and I find that all agree they would rather pay a reasonable fee and have something to hunt and an opportunity to catch some fish, than to be allowed to walk themselves to death free and not find anything but a game warden. Under the present law it looks to me as if all we are doing is hiring a whole army of game wardens to protect game that does not exist.

Another thing that I think should be done is that instead of the Legislature passing hundreds upon hundreds of game laws, the power should be placed in the hands of the State Board of Agriculture, on recommendation of the head of the Game, Fish and Oyster Department, to pass regulations which will control the hunting privileges in the various counties. It is essential that authority to make these rules be such that will permit frequent and quick changes as conditions demand.

I am fully convinced that the natural terrain and climate and variety of natural abodes for all kinds of wild life make Texas a place that can be transformed into a sportsmen's paradise, unequalled anywhere in the Nation, bringing thrills to the sportsmen and providing an added source of income for our farmers on whose land and water the wild game must live and feed. But this cannot be accomplished by a group of millionaire sportsmen politicians who want to cause the large ranches to bloom in wild life splendor at State's expense, while the little farms and ranches are ignored. This is a farm problem wherein all farmers, both large and small, must take part in the control if it is to succeed.

And there is another thing which I think should be done. I think Texas agriculture is of sufficient importance to justify a dignified home of its own,—a home of substantial proportions. I think an agricultural building, costing around \$350,000.00, including equipment, to house all of these activities should be built at College Station, Texas, so that the State Board of Agriculture could work in the closest co-

operation with the Texas A. & M. College and where farmers who visit the State Board of Agriculture would have the opportunity of contacting those who head our A. & M. College. I think, furthermore, that, in the summer classes which A. & M. College has for farmers, ranchmen, and fruit growers, it would be a wonderful opportunity to bring the State Board of Agriculture in closer touch with the farming element of the State, and, last but not least, it would get this department out of the political atmosphere of the State Capitol. I think this building should be provided as soon as this program is adopted. I do not mean by this that there should be any connection whatever between the control of the A. & M. College and the State Board of Agriculture. On the contrary, they should be entirely separate, but they should be so located as to bring about the closest possible cooperation.

I recommend that with the enactment of this suggested legislation an appropriation be made for a reasonable amount to carry on the essential work. The Boards recommended in this message to be abolished spent \$1,795,940.51 during the last fiscal year ending August 31, 1940, which is on the basis of \$3,591,881.02 for the biennium. I believe much less than this amount will be required under this suggested consolidation, and that much more effective service can be rendered.

In reading these thousands of letters and in talking with many real dirt farmers, I am impressed with the large variety of comparatively small problems which confront certain groups and certain localities and even during certain unusual seasons problems which could be adjusted by rules of a State Board of Agriculture, but which would be difficult to handle by the enactment of laws two years in advance of the knowledge that such problems would occur. The set-up of a Board of this nature would also bring together in the proper manner the real dirt farmers of this State, not only to solve their comparatively small problems, and problems of temporary or changing varieties, but would also enable them to formulate col-

lectively plans of greater importance affecting the whole State and present these greater problems to the Legislature each two years for consideration by this body. This, I believe, would be constructive and certainly reverse the policy now in force where political farmers set themselves up as lobbyists and sell their services to the farmers, or farm groups. This present system is what might be termed getting the cart before the horse. I believe in the principle that farming in all its various branches, including the political part, should originate at the grass roots. I believe this plan, put into effect and honestly conducted and administered by dirt farmers themselves, will bring about this condition.

I hope that during this session the Legislature will be able to give this matter deliberate consideration. For the convenience of the Legislature, I attach to this message a bill which, in my judgment, if enacted into law, will accomplish this purpose.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

February 27, 1941.

To the Members of the Forty-seventh Legislature:

When I became Governor of this State, I started looking through the records of the various State institutions. One of the items that particularly astonished me was the cost of operating the Prison System. It seemed incredible that it should cost the taxpayers of Texas \$1,500,000 each year to operate the Prison System.

I called in some experienced farmers, and asked them whether they thought they could make a profit if somebody would turn over to them about 70,000 acres of the most fertile farm land in the State, free of debt, and free of taxes of all kind, and in addition to that would furnish them all the machinery needed and all the men needed to do the work, with no wages at all, except board and room and clothes. I then consulted some business men, and asked them whether they thought they could make a profit, if some-

body would turn over to them enough factories to manufacture all the goods that the State of Texas was buying, with no investment at all, and no taxes of any kind to pay, and all the men needed to operate the factories, without paying any wages, except board, room and clothes, and then gave them orders for everything the State purchases, at the price the State pays. Well, the answers were that they would like to have such an offer, and they believed they could make at least a million dollars per year profit.

That is the same set-up the State of Texas has, and instead of making a million dollars per year profit, it is costing the taxpayers of Texas One and One-half Million Dollars per year to operate this Prison System.

I next decided to approach the problem from another angle, so I discussed the matter with the Chairman of the Texas Prison Board, and with the President of the A. & M. college, with the result that a joint meeting of the two Boards was called at College Station on October 19, 1940. At this meeting I pointed out that the Prison System was engaged in farming and manufacturing, but such operations were costing the taxpayers One and One-half Million Dollars annually, and that the A. & M. College, another division of our State Government supported by taxpayers' money was engaged in the business of research and development in farming and manufacturing, and suggested that the A. & M. College make an economic survey of the Prison System to see whether they could offer recommendations for changing our methods at the Prison System to make it more modern and more nearly self-supporting.

The Boards of both Institutions heartily approved of the idea, and at the request of the Prison Board, the A. & M. experts made a complete survey of the whole Prison System, and submitted their report and recommendations at another joint meeting on December 23rd, 1940.

These reports of the A. & M. College in detail are quite exhaustive, but I shall be glad to make them available to any member of the Legislature who desires to study them.

After carefully studying the reports and recommendations of the A. & M. College, the Prison Board at their meeting of January 13, 1941, adopted some of their recommendations and in order to put the recommendations into operation, they prepared five bills which I am pleased to attach hereto. I trust you will give these recommendations, and these bills, your most careful consideration. I submit all of them to you as emergency legislation because they are intended to help reduce the amount of One and One-half Million Dollars annual cost of operating the prison System.

I would particularly call your attention to one statement contained in one of the reports by Dean Gilchrist of the A. & M. College, reading as follows:

"We believe that with capable, non-political control and wise judgment the Prison System can be made self-sustaining."

Inasmuch as that statement has been made by such a capable and thoroughly informed expert after a careful study and survey it appears to me that it is a challenge to the Members of the Prison System, but certainly we cannot expect them to bring about this great improvement, unless we give them the legal authority they ask for in these five bills which they have asked you to pass.

Our Board of Education is spending around One and One-half Million Dollars each year for school text books, when these books might just as well be printed in the Prison at a fraction of this cost. The argument has been advanced that these text books cannot be printed by our Prison System because the books are copyrighted. To overcome this imaginary obstacle I want to suggest that we have right here in Texas many very capable and talented citizens who have put in their lifetime in educational work and who I believe are capable of writing text books just as good or better than text books written by people in any other part of the world. I, for one, am of the opinion that our Texas boys and girls will be better educated if they study books written by our own Texas citizens in preference to

some of the books written by people from other places. If the Board of Education would offer prizes for the best books covering every phase of our public school education, and obtain the copyrights on the books selected as prize winners, I am inclined to believe that we would see a great improvement in the text books of this State. Then by this process, the State would own the copyrights, and could therefore print our own books with prison labor at a fraction of the present cost. This policy of the State Prison doing printing for the State, or manufacturing articles for State use exclusively, is so sound that it has been approved by one of the leading labor unions. They express no opposition to State Prison labor being used, unless it is to manufacture goods for sale to the public.

In giving this commercial aspect of the Prison System consideration, I was impressed with the sincere consideration the Members of the Prison Board gave to the matter of the welfare of the prisoners, the protection of the public, and the rehabilitation of the prisoners. To drive hordes of men to farm drudgery when they are better fitted for factory work, does not improve their morale, their health, or their rehabilitation rating. To force men who like to farm to use antiquated tools and methods, when modern farming outside the prison today is done by tractors and improved machinery does not improve the morale, or health of these men, and does not prepare them to pursue modern farm work after they are released. Therefore, to modernize our farming, and our shops in the prison system will not only help reduce the cost of operating the prison system, but it will help improve the morale, and state of mind, and health, and hopes of those men, and serve to make them better men after they have paid the price for their mistakes and are returned to the society of free men.

I earnestly solicit your careful consideration of this most important problem.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

TEXT OF BILLS AS SUBMITTED
BY THE GOVERNOR IN THE
ABOVE MESSAGE

H. B. No. —,

A BILL

To Be Entitled

An Act to permit the use of convicts as guards in the Texas Prison System at the discretion of the Prison Board; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. It shall be lawful for the Texas Prison Board to use convicts as guards in the Texas Prison System at any time and to whatever extent the Prison Board deems such usage feasible.

Sec. 2. The fact that the provisions of this Act are necessary to enable the Texas Prison Board to better administer the affairs of the Texas Prison System creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

H. B. No. —,

A BILL

To Be Entitled

An Act authorizing the Texas Prison Board, through its General Manager, to bid upon contracts with the Board of Control of the State of Texas to supply the State with printing, binding, stationery and supplies of like character; providing that no bond shall be required to accompany said bid; and further providing that the Texas Prison Board, through its General Manager, may enter into such contract with the Board of Control without executing any bond; repealing all laws in conflict therewith; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. The Texas Prison Board, through the General Manager of the Texas Prison System, is hereby authorized to bid upon contracts with the Board of Control of the State of Texas for the supplying to the State of all printing, binding, stationery and supplies of like character for all departments, institutions and boards, to be governed by the rules of such bids as set out in Article 608 and Article 610 of the Revised Civil Statutes of Texas, of 1925. Provided, that no bond shall be required of the Texas Prison Board to accompany such bid or bids, and the Texas Prison Board, through its General Manager of the Prison System of Texas, is authorized to enter into any contract with the Board of Control of the State of Texas for supplying to the State of printing, binding, stationery and supplies of like character for all departments, institutions and boards, after having met the requirements and rules governing such bids, and no bond shall be required of the Texas Prison Board upon acceptance by the Board of Control of such bids and contracts thereunder.

Sec. 2. All laws and parts of laws in conflict herewith are expressly repealed.

Sec. 3. The fact that there is no adequate law authorizing the Texas Prison Board to enter into contract with the Board of Control of the State of Texas to supply the State with printing, binding, stationery and supplies of like character, and the further fact that the Texas Prison System is equipped with machinery and facilities for furnishing such supplies, and the further fact that the State is losing thousands of dollars each year because the Texas Prison Board is not authorized to enter into such contract with the Board of Control, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

H. B. No. —,

A BILL

To Be Entitled

An Act declaring that any prisoner who escapes from the Texas Penitentiary or from any of the prison farms of the Texas Prison System shall be guilty of a felony; prescribing penalties necessary and incident thereto; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Any prisoner who shall escape from the Texas Penitentiary or from any prison farm of the Texas prison system shall be guilty of a felony and shall upon conviction be punished by confinement in the State Penitentiary for a period of not less than 2 nor more than 5 years, which sentence shall be cumulative to the sentence being served by such prisoner.

Sec. 2. The fact that the provisions of this Act are necessary to enable the Texas Prison Board to better administer the affairs of the Texas Prison System creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

H. B. No. —,

A BILL

To Be Entitled

An Act making it unlawful for convicts to mutilate themselves; defining the offense and prescribing penalties necessary and incident thereto; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. It shall be unlawful for any prisoner confined in the Texas Penitentiary to mutilate himself, and any prisoner doing so shall be guilty of a felony and shall upon conviction be punished by confinement in the State Penitentiary for a

period of not less than 2 nor more than 5 years, which sentence shall be cumulative to the sentence then being served by such prisoner.

Sec. 2. The fact that the provisions of this Act are necessary to enable the Texas Prison Board to better administer the affairs of the Texas Prison System creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force, from and after its passage, and it is so enacted.

H. B. No. —,

A BILL

To Be Entitled

An Act requiring tax supported institutions and agencies of the State to buy from the prison system all needed goods that the Prison System can supply at not less than competitive prices; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. All tax supported institutions and agencies of this State are hereby directed and required to purchase from the Texas Prison System all needed goods which the Prison System can supply at not less than the competitive prices.

Sec. 2. In all transactions under this Act the Texas Prison System shall be required to conform to any and all laws relative to the submission of bids and the procedures thereunder.

Sec. 3. The fact that the provisions of this Act are necessary to enable the Texas Prison Board to administer more efficiently the affairs of the Texas Prison System creates an emergency and an imperative public necessity that the Constitutional Rule requiring all bills to be read on three several days in each House be suspended, and the said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

H. B. No. —,

A BILL

To Be Entitled

An Act to create a State Board of Agriculture and provide for the election and term of office of the members of said Board by convention; conferring upon said Board certain powers and duties; providing for an Executive Director of the State Board of Agriculture; conferring certain duties and powers on the Executive Director; transferring to the State Board of Agriculture the duties, physical properties and records of the following offices and departments: Land Commissioner; Game, Fish and Oyster Commission and the executive secretary of said Commission; Board of Water Engineers; Livestock Sanitary Commission of Texas; State Soil Conservation Board; State Agricultural Board; and transferring the duties conferred upon the Land Commissioner by S. B. No. 281, Chapter 1, of the Title "Water", Acts of the Forty-sixth Legislature, page 704, to the State Board of Agriculture; and abolishing the office of Land Commissioner; abolishing the Game, Fish and Oyster Commission; abolishing the Board of Water Engineers; abolishing the Livestock Sanitary Commission of Texas; abolishing the State Soil Conservation Board; abolishing the State Agriculture Board; authorizing the State Board of Agriculture to make rules and regulations concerning bag limits, possession, time of year and method of killing and catching game fish, birds and animals; providing a penalty for those who violate said rules and regulations and making it a misdemeanor for those convicted of such violation; repealing all laws fixing bag limits, open seasons for the taking or killing of game birds, game animals, and fish and the method of taking, killing or catching game birds, animals and fish and the possession of same; amending Article 904 of the Penal Code of 1925; and declaring an emergency, and repeal-

ing all laws in conflict with this Act.

Be It Enacted by the Legislature of the State of Texas:

Section 1. State Board of Agriculture. There is hereby created a State Board of Agriculture to serve as any agency of this State and to perform the functions and have the powers and duties conferred on it by this Act. The Board shall consist of five (5) members, an executive director and such other employees as may be required to carry out the purposes of this Act. The five members of this Board shall be selected as follows:

A. The State of Texas is hereby divided into thirty-one districts for the purpose of selecting thirty-one members of the Agricultural Advisory Board. These thirty-one districts shall be numbered 1 to 31 inclusive and each district shall comprise of same counties as the corresponding numbered Senatorial District comprises.

B. The Commissioners' Court of each county within thirty days after this Act becomes effective shall call a meeting or convention of the land owners and all other persons engaged in agriculture, horticulture, ranching, poultry and livestock raising in each precinct, at a place and time for each precinct to be designated by the Commissioners' Court for the purpose of electing a member of the County Agriculture Advisory Committee. A majority of those present at such meeting shall be necessary to elect such member of the County Agriculture Advisory Committee. Each member so elected shall be actively engaged in the business of agriculture, horticulture, ranching, poultry or livestock raising.

The commissioner of each precinct shall act as chairman of the meeting in such precinct. If said commissioner is absent, those present engaged in agriculture, horticulture, ranching, poultry and livestock raising shall elect an acting chairman from among their number who shall preside at said meeting.

The name of the members so elected shall be certified to the County Judge who shall, within five (5) days, officially notify the person so

elected that he has been elected as a member of such Advisory Committee.

The County Agriculture Advisory Committee shall select one of its members as chairman who shall have authority to cast an additional vote in case of a tie and shall be charged with the usual and customary duties of a presiding officer. A majority of the members shall constitute a quorum and the concurrence of a majority of such quorum in any matter within their jurisdiction shall be required for final determination.

Vacancies upon the County Agriculture Advisory Committee shall be filled for an unexpired term, or for a full term, by the same manner in which the retiring members were respectively selected.

Members of the County Agriculture Advisory Committee shall receive no compensation for their services except the delegate to the District Convention who shall receive the amount incurred as necessary expenses and Four (\$4.00) Dollars per day not to exceed (2) days to be paid by the State Board of Agriculture created herein.

The first County Agriculture Advisory Committee elected in each county shall be elected to serve as follows:

1. Precincts 1 and 3 in each county shall each elect a committee member to serve for a period ending the first Tuesday in January, 1942, or until their successors are elected and have qualified. Biennially thereafter on the first Tuesday in January new members shall be elected as hereinabove provided and shall serve for a term of two (2) years.

2. Precincts 2 and 4 in each county shall each elect a committee member to serve for a period ending the first Tuesday in January, 1943, or until their successors are elected and have qualified. Biennially thereafter on the first Tuesday in January new members shall be elected as hereinabove provided and shall serve for a term of two (2) years.

C. The County Agriculture Advisory Committee in each county shall elect one of its number as a delegate to attend the State District Agriculture Convention which shall be held within each State District, at a time and place designated by the

Governor of the State of Texas, said date to be not later than forty-five (45) days after the effective date of this Act, and each State District Convention shall elect from among the qualified delegates present, by a majority vote, a member of the State Agricultural Advisory Board who shall serve as such member for a term of two (2) years. A majority of all county delegates elected to the State District Convention shall constitute a quorum.

The State Agricultural Advisory Board shall elect one of its number as Chairman who shall be charged with and have the powers usually and customarily granted to a presiding officer. Said Chairman shall serve during the pleasure of the State Agricultural Advisory Board.

Members of the State Agricultural Advisory Board shall receive Five (\$5.00) Dollars per day compensation for their services while attending the State Convention and their actual and necessary expenses not to exceed the sum allowed State employees in the biennial appropriation bill.

The State Agricultural Advisory Board shall hold such other meetings as shall be necessary to perform the duties of their office and shall draw the same compensation and expenses as allowed them while attending the State convention. The State Agricultural Advisory Board shall be subject to call by its Chairman, as hereinafter provided.

The State Agricultural Advisory Board shall select five (5) of their number as the State Board of Agriculture. The members of the State Board of Agriculture shall serve during the pleasure of the State Agricultural Advisory Board. The Chairman of the State Agricultural Advisory Board must call a meeting of the State Agricultural Advisory Board for the purpose of removing any member of the State Board of Agriculture within ten (10) days after requested to do so by a majority of the members of the State Agricultural Advisory Board. Call for such meeting shall be in writing and mailed to the members of the State Agricultural Advisory Board and shall specify the date, time and place of such meeting.

D. The State Board of Agriculture shall meet to organize at a time and place to be designated by the Governor of Texas within ten (10) days following the election of such members, and shall thereafter meet from time to time as necessary. Each member of the State Board of Agriculture shall take the Constitutional oath of office, and shall designate one of its members as chairman and may from time to time change such designation.

Vacancies upon such Board shall be filled for an unexpired term or for a full term by the same manner in which the retiring members were respectively elected. Members of the State Board of Agriculture may receive compensation for their services on the Board, the sum of Five (\$5.00) Dollars per diem for each day of actual service rendered, but each member shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties as members of the Board.

E. A majority of the members of the State Board of Agriculture shall constitute a quorum and the concurrence of a majority of the members in any matter within their duties shall be required for its determination. The State Board of Agriculture shall keep a complete and accurate record of all its official actions, hold such public hearings at such times and places within the State as may be determined by the Board, and shall promulgate such rules and regulations as may be necessary for the performance of the functions of such Board under the provisions of this Act. The Board shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property, which bonds shall be executed by some solvent company authorized to transact a surety business in this State.

F. The State Board of Agriculture shall employ an executive director, who shall be the executive and administrative officer of the State Board of Agriculture and shall discharge all administrative and executive functions of the Board. He shall be a person of demonstrated executive ability and extensive experience

in agriculture and horticulture. He shall serve during the pleasure of the Board and shall draw a salary of Six Thousand (\$6,000.00) Dollars per year payable in equal monthly installments.

The Board, its agents, representatives and employees shall constitute the State Board of Agriculture and whenever, by any of the provisions of this Act, or of any other Act, any right, power or duty is imposed or conferred on the State Board of Agriculture, the right, duty or power so imposed or conferred shall be possessed and exercised by the Executive Director unless any such right, power or duty is specifically delegated to the duly appointed agents or employees of such department, or any of them, by this Act or by an appropriate rule, regulation or order of the State Board.

G. The Executive Director shall be the executive administrative officer of the State Board of Agriculture. The Executive Director, with the consent and approval of a majority of the members of the Board, shall:

(1) classify all positions in the administration of this Act and fix the duties and compensation of the employees. The compensation shall be subject to the biennial appropriation bill;

(2) provide for a fair and impartial selection, appointment, retention and promotion of personnel in accordance with the classification and compensation plans hereinbefore provided.

H. The State Board of Agriculture shall be charged with the administration of the following duties:

(1) perform the duties heretofore performed by the Commissioner of Agriculture and all of the rights, powers, and duties heretofore conferred by law on the Commissioner, when not otherwise in conflict with any of the provisions of this Act, are hereby continued in full force and effect, and are hereby transferred to, and conferred upon, the State Board of Agriculture as created by this Act, and shall be held, exercised, and performed by the State Board of Agriculture under the provisions of this Act and the several Acts now in force and any amendment or amend-

ments thereto which might be made. To effectuate this purpose the office of Commissioner of Agriculture is hereby abolished and the records and physical properties are hereby transferred to the State Board of Agriculture and placed under its supervision;

(2) shall perform the duties heretofore performed by the Game, Fish and Oyster Commission and the Executive Secretary of said Commission and all of the rights, powers, and duties heretofore conferred by law upon the Game, Fish and Oyster Commission and the Executive Secretary thereof when not otherwise in conflict with any of the provisions of this Act, are hereby continued in full force and effect, and are hereby transferred to, and conferred upon the State Board of Agriculture as created by this Act, and shall be held, exercised, and performed by the State Board of Agriculture under the provisions of this Act and the several Acts now in force, and any amendment or amendments thereto which might be made. To effectuate this purpose the Game, Fish and Oyster Commission and the office of Executive Secretary of the Game, Fish and Oyster Commission are hereby abolished and the records and physical properties are hereby transferred to the State Board of Agriculture and placed under its supervision;

(3) shall perform the duties heretofore performed by the Board of Water Engineers and all of the rights, powers, and duties heretofore conferred by law on the Board of Water Engineers, when not in conflict with any of the provisions of this Act, are hereby continued in full force and effect, and are hereby transferred to and conferred upon the State Board of Agriculture as created by this Act, and shall be held, exercised, and performed by the State Board of Agriculture under the provisions of this Act and the several Acts now in force, and any amendment or amendments thereto which might be made. To effectuate this purpose the Board of Water Engineers is hereby abolished and the records and physical properties are hereby transferred to the State Board of Agriculture and placed under its supervision.

(4) shall perform the duties heretofore performed by the Livestock Sanitary Commission of Texas and all of the rights, powers, and duties heretofore conferred by law on the Livestock Sanitary Commission of Texas, when not in conflict with any of the provisions of this Act, are hereby continued in full force and effect, and are hereby transferred to and conferred upon the State Board of Agriculture as created by this Act, and shall be held, exercised, and performed by the State Board of Agriculture under the provisions of this Act and the several Acts now in force, and any amendment or amendments thereto which might be made. To effectuate this purpose the Livestock Sanitary Commission of Texas is hereby abolished and the records and physical properties are hereby transferred to the State Board of Agriculture and placed under its supervision;

(5) shall perform the duties heretofore performed by the State Soil Conservation Board and all of the rights, powers and duties heretofore conferred by law on the State Soil Conservation Board, when not in conflict with any of the provisions of this Act, are hereby continued in full force and effect, and are hereby transferred to and conferred upon the State Board of Agriculture as created by this Act, and shall be held, exercised, and performed by the State Board of Agriculture under the provisions of this Act and the several Acts now in force, and any amendment or amendments thereto which might be made. To effectuate this purpose the State Soil Conservation Board is hereby abolished and the records and physical properties are hereby transferred to the State Board of Agriculture and placed under its supervision;

(6) shall perform the duties heretofore performed by the State Agricultural Board and all of the rights, powers and duties heretofore conferred by law on the State Agricultural Board, when not in conflict with any of the provisions of this Act, are hereby continued in full force and effect, and are hereby transferred to and conferred upon the State Board of Agriculture as created by this Act, and shall be held, exercised, and performed by

the State Board of Agriculture under the provisions of this Act and the several Acts now in force, and any amendment or amendments thereto which might be made. To effectuate this purpose the State Agricultural Board is hereby abolished and the records and physical properties are hereby transferred to the State Board of Agriculture and placed under its supervision.

I. Senate Bill No. 281, Chapter 1, of the Title "Water," Acts of the Forty-sixth Legislature, page 704, the same being Article 5421h-1, Vernon's Civil Statutes, is hereby repealed and the powers, rights and duties conferred upon the Land Commissioner by said Act are hereby conferred and transferred to the State Board of Agriculture. All of the rights, powers, and duties heretofore conferred by Senate Bill No. 281, Chapter 1, of the Title "Water," Acts of the Forty-sixth Legislature, when not otherwise in conflict with any of the provisions of this Act, are hereby continued in full force and effect and shall be held, exercised and performed by the State Board of Agriculture under the provisions of this Act and the several Acts now in force, and any amendment or amendments thereto which might be made. To effectuate this purpose the division of the Land Office pertaining to the duties of the Reclamation Engineer transferred to the Land Commissioner by Senate Bill No. 281, Chapter 1, of the Title "Water," Acts of the Forty-sixth Legislature, records and physical properties are transferred to the State Board of Agriculture and placed under its supervision, and that division of the Land Commissioner's Office is hereby abolished.

Sec. 2. The members of the State Board of Agriculture, the Executive Director, and the employees shall be entitled to receive from the State their necessary traveling expenses while traveling on the business of the Board, upon an itemized statement, sworn to by the party who incurred the expense and approved by the Board or its authorized officer or employee.

Sec. 3. The offices of the State Board of Agriculture shall be located at College Station, Texas, in

a building provided for that purpose and there is hereby appropriated the sum of \$350,000.00 from the General Fund of the State of Texas for the purpose of erecting and equipping an administration building for the State Board of Agriculture.

Sec. 4. The State Board of Agriculture is authorized to make rules and regulation concerning bag limits and possession of game birds, game animals, and game fish; and the time of year game birds and game animals may be killed and possessed and game fish caught and possessed. It may also make rules and regulations concerning the method game birds and game animals may be taken or killed and game fish caught.

Sec. 5. The rules and regulations promulgated by the State Board of Agriculture under the provisions of this Act shall be published in three (3) newspapers of general circulation in the State of Texas (such newspapers to be selected by the State Board of Agriculture), once each day for three (3) consecutive days, a complete copy of such rule, regulation or order and on and after the seventh (7th) calendar day after the date of the last publication, such rule, regulation or order shall become effective and enforceable. Notice of any amendment, repeal, alteration, or modification of such order may be similarly promulgated and will become similarly effective after similar notice.

Sec. 6. Any person who shall violate any rule or regulation authorized by this Act or who shall fail to comply with the terms of any rule or regulation promulgated by the State Board of Agriculture shall be deemed guilty of a misdemeanor and shall upon conviction be subject to a fine of not less than Ten (\$10.00) Dollars nor more than Two Hundred (\$200.00) Dollars or a jail sentence of not more than three months or by such fine and imprisonment and in addition thereto shall automatically forfeit his license for said season. Any such person so convicted of violating the rules and regulations of the State Board of Agriculture, with reference to game, shall not be entitled to receive from the State a license to

hunt for one year immediately following the date of his conviction; and it shall be unlawful for any person who is convicted of violating any of the provisions of the rules and regulations of the State Board of Agriculture to purchase or possess a hunting license for a period of one year immediately following the date of such conviction; and it shall also be unlawful for any person violating any rule or regulation of the State Board of Agriculture with reference to game to hunt with a gun in this State for a period of one year immediately following the date of such conviction.

Sec. 7. All laws fixing bag limits, and open seasons for the taking or killing of game birds and game animals, and the catching of game fish and the method of taking, killing or catching game birds, animals and fish, and the possession of game birds, animals and fish are hereby expressly repealed ninety (90) days after the effective date of this Act.

Sec. 8. Article 904 of the Penal Code of 1925, adopted by the Thirty-ninth Legislature, Regular Session, 1925, shall be amended so as to hereafter read as follows:

"No citizen of this State shall hunt off of his own property with a gun without first having procured from the State Board of Agriculture or one of its authorized employees, or deputies, or from any County Clerk in this State, a license to hunt, and for which he shall pay either of such officers or employees the sum of \$3.00; fifteen cents of which amount shall be retained by said officer as his fee for collecting.

"No citizen of this State shall hunt outside of the county of his residence except upon his own land with a gun without first having procured from the State Board of Agriculture, or one of its authorized employees or deputies, or from any County Clerk in this State, a license to hunt, and for which he shall pay either of such officers or employees the sum of Ten (\$10.00) Dollars, One (\$1.00) Dollar of which amount shall be retained by said officer as his fee for collecting.

"The fee for a nonresident citizen or alien hunting license shall be Fifty (\$50.00) Dollars; Three (\$3.00) Dollars of such amount

shall be retained by the officer issuing such license as his fee for collecting, issuing, and making a report on license so issued and for remitting the remaining \$47.00 to the State Board of Agriculture.

"The money collected and paid to the State Board of Agriculture from the issuance of the above licenses shall be used exclusively for the purpose of conserving and propagating game and fish.

"Any person hunting with a gun off of his own property without a license as hereinbefore provided for, or any person who fails or refuses on demand by any officer to show such officer his hunting license required of him by this Article, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than Ten (\$10.00) Dollars, nor more than One Hundred (\$100.00) Dollars; provided, that the provisions of this Article requiring a hunting license shall not apply to persons under seventeen years of age."

Sec. 9. All laws and parts of laws in conflict herewith are hereby expressly repealed.

Sec. 10. If any section, subsection, paragraph, clause, sentence, or word of this Act or the application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining provisions of this Act; and this Legislature hereby declares that it would have passed such remaining portions despite such invalidity.

Sec. 11. The fact that the Departments consolidated hereunder are duplicating each other's work in many instances and a consolidation would result in increased economy and efficiency, together with the fact that there are so many local bills pertaining to game and fish that no one knows what law applies to which section of the State, creating great confusion and practically no enforcement of the many local laws with the result that game and fish are fast disappearing and becoming extinct in some instances, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended and this Act shall be in force

and take effect from and after its passage, and it is so enacted.

SENATE RETIRES

At the conclusion of the address the Senate at 11:05 o'clock a. m. retired to its Chamber.

HOUSE BILL NO. 213 PRINTED ON MINORITY REPORT

Mr. Chambers moved that House Bill No. 213 reported adversely with a minority favorable report, be printed.

Mr. Howard moved to table the motion by Mr. Chambers.

Question recurring on the motion to table yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—54

Allen	Little
Benton	Love
Boone	Lyle
Bray	McCann
Bridgers	McDonald
Brown	Markle
Bullock	Mills
Bundy	Moore
Carlton	Morgan
Carrington	Morris
Cleveland	Morse
Crosthwait	Murray
Dickson of Bexar	Nicholson
Dickson of Nolan	Parker
Ellis	Pevehouse
Eubank	Reed of Bowie
Ferguson	Reed of Dallas
Files	Ridgeway
Fitzgerald	Roark
Hanna	Rhodes
Howard	Sharpe
Hoyo	Simpson
Huffman	Stinson
Kelly	Taylor
Klingeman	Voigt
Knight	Weatherford
Lehman	Winfree

Nays—63

Allison	Bruh1
Anderson	Burkett
Avant	Burnaman
Bailey	Cato
Baker	Chambers
Bean	Clark

Coker	Kennedy
Connelly	King
Craig	Lansberry
Crossley	Leyendecker
Davis	Lock
Donald	Lowry
Dove	Lucas
Duckett	McGlasson
Evans	McLellan
Favors	McMurry
Fuchs	McNamara
Halsey	Manning
Hardeman	Martin
Hargis	Matthews
Harris of Dallas	Montgomery
Harris of Hill	Price
Heflin	Roberts
Helpinstill	Smith of Bastrop
Hileman	Smith of Atascosa
Hobbs	Spacek
Howington	Spangler
Hughes	Walters
Humphrey	Wattner
Hutchinson	White
Isaacks	Whitesides
Jones	

Absent

Alsup	Kinard
Blankenship	McAlister
Brawner	Manford
Celaya	Pace
Colson, Mrs.	Phillips
Daniel	Sallas
Deen	Senterfitt
Dwyer	Shell
Gandy	Skiles
Goodman	Stanford
Hartzog	Thornton
Henderson	Turner
Kersey	Vale

Absent—Excused

Bell	Huddleston
Garland	Rampy
Gilmer	Stubbs

Question then recurring on the motion by Mr. Chambers, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows: Yeas, 60; nays, 58.

Mr. Morse requested a verification of the vote.

Mr. Hardeman moved a call of the House pending the verification and the call was duly ordered.

Mr. Carlton moved to reconsider the vote by which the call of the House was ordered.

The motion to reconsider prevailed.

Question: Shall the call of the House be ordered?

The motion for the call of the House was lost.

The roll of the "yeas" and "nays" was again called on the motion by Mr. Chambers and the verified vote resulted as follows:

Yeas—58

Allison	Hileman
Bailey	Hobbs
Baker	Howington
Bean	Hughes
Bridgers	Isaacks
Bullock	Jones
Bundy	Kennedy
Burkett	King
Carlton	Lansberry
Cato	Lock
Chambers	Lowry
Clark	Lucas
Coker	McGlasson
Connelly	McLellan
Craig	McMurry
Crossley	McNamara
Davis	Manning
Donald	Martin
Dove	Matthews
Duckett	Mills
Favors	Moore
Fuchs	Price
Halsey	Roberts
Hardeman	Senterfitt
Hargis	Smith of Atascosa
Harris of Dallas	Walters
Hartzog	Wattner
Heflin	White
Helpinstill	Whitesides

Nays—57

Allen	Colson, Mrs.
Alsup	Crothwait
Anderson	Deen
Avant	Dickson of Bexar
Benton	Dickson of Nolan
Boone	Ellis
Brown	Eubank
Bruhl	Ferguson
Burnaman	Files
Carrington	Fitzgerald
Cleveland	Hanna

Harris of Hill	Morgan
Howard	Morse
Hoyo	Murray
Huffman	Nicholson
Humphrey	Pevehouse
Hutchinson	Reed of Bowie
Kelly	Ridgeway
Klingeman	Roark
Knight	Rhodes
Lehman	Sharpe
Leyendecker	Simpson
Little	Smith of Bastrop
Love	Spacek
Lyle	Stinson
McCann	Taylor
McDonald	Weatherford
Markle	Winfree
Montgomery	

Absent

Blankenship	Morris
Brawner	Pace
Bray	Parker
Celaya	Phillips
Daniel	Reed of Dallas
Dwyer	Sallas
Evans	Shell
Gandy	Skiles
Goodman	Spangler
Henderson	Stanford
Kersey	Thornton
Kinard	Turner
McAlister	Vale
Manford	Voigt

Absent—Excused

Bell	Huddleston
Garland	Rampy
Gilmer	Stubbs

The Speaker announced that the motion by Mr. Chambers that House Bill No. 213 reported adversely with a minority favorable report, be printed, prevailed.

Mr. Hardeman moved to reconsider the vote by which the motion to print on minority report prevailed and to table the motion to reconsider.

Question recurring on the motion to table, it was lost.

Question then recurring on the motion to reconsider the vote by which House Bill No. 213 was ordered printed on minority report, it was lost.

MESSAGE FROM THE SENATE

Austin, Texas, February 27, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 49, Granting House and Senate permission to adjourn until Monday, March 3.

Passed

H. B. No. 399, A bill to be entitled "An Act authorizing eligible cities as defined herein to issue two classes of refunding bonds; etc., and declaring an emergency."

H. B. No. 4, A bill to be entitled "An Act repealing all local or special laws regulating the taking, possession, or sale of fur-bearing animals in so far as they apply to Panola County, Texas; and declaring an emergency."

H. B. No. 12, A bill to be entitled "An Act repealing H. B. No. 26 of the Acts of the Regular Session of the Forty-fourth Legislature; and declaring an emergency."

H. B. No. 23, A bill to be entitled "An Act making an appropriation of Four Hundred Dollars (\$400.00) for the purpose of removing the remains of Captain William M. Logan, etc., and declaring an emergency."

H. B. No. 83, A bill to be entitled "An Act making an appropriation out of any moneys in the State Treasury not otherwise appropriated for the Nueces River Conservation and Reclamation District, etc., and declaring an emergency." (As amended.)

H. B. No. 97, A bill to be entitled "An Act authorizing navigation districts created under any of the provisions of the Constitution or Laws of this State in addition to the powers heretofore conferred by law, to acquire, extend, construct, repair, etc., in aid of deep water navigation without taxation, etc., and declaring an emergency." (As amended.)

H. B. No. 109, A bill to be entitled "An Act to amend Article 2955 of the Revised Civil Statutes of the State of Texas, 1925, relating to

qualifications to vote, and declaring an emergency."

H. B. No. 138, A bill to be entitled "An Act repealing House Bills No. 945 and No. 946, enacted by the Forty-sixth Legislature of the State of Texas, etc., and declaring an emergency."

H. B. No. 141, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer, bear, fox, or wild turkey or trap or molest same in Liberty County for a period of five years etc., and declaring an emergency."

H. B. No. 142, A bill to be entitled "An Act making it unlawful to kill or attempt to kill bear, fox, or wild turkey, or molest same in Hardin County, etc., and declaring an emergency."

I. B. No. 165, A bill to be entitled "An Act granting to the City of Corpus Christi, Texas, all right, title, and interest of the State of Texas to certain land hitherto submerged by the waters of Corpus Christi Bay, etc., and declaring an emergency."

H. B. No. 198, A bill to be entitled "An Act to declare a close season on the killing of deer and turkey in Throckmorton, Shackelford and Haskell Counties for a period ending February 1, 1946; prescribing a penalty therefor, and declaring an emergency."

H. B. No. 212, A bill to be entitled "An Act providing for a closed season on the taking of wild deer for a period of five years in the Counties of Motley, Floyd, Briscoe, etc., and declaring an emergency."

H. B. No. 216, A bill to be entitled "An Act amending Section 1 of House Bill No. 160, Acts of the First Called Session of the Forty-first Legislature, Chapter 83, page 209, etc., and declaring an emergency." (As amended.)

H. B. No. 217, A bill to be entitled "An Act declaring it unlawful to take hunt, trap, ensnare, kill, or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn or wild turkey in Stephens and Palo Pinto

Counties for a period of four years, etc., and declaring an emergency."

H. B. No. 276, A bill to be entitled "An Act to prohibit the use in all lakes and streams situated in Nolan County, Texas, all certain devices for catching fish, etc., and declaring an emergency."

H. B. No. 282, A bill to be entitled "An Act amending Section 1 of an Act known as House Bill No. 965, of the Regular Session of the Forty-sixth Legislature, Page 336 (1939), etc., and declaring an emergency."

H. B. No. 306, A bill to be entitled "An Act providing an open season for doves in Lamar and Red River Counties; repealing any provision of Law in conflict; and declaring an emergency."

H. B. No. 318, A bill to be entitled "An Act amending Article 2831 of the Revised Civil Statutes of the State of Texas by adding a new section to be known as Article 2831a, and providing for certain school fund balances not expended for the current year to be placed in the School Equalization Fund in certain counties in Texas, etc., and declaring an emergency."

H. B. No. 386, A bill to be entitled "An Act amending Section 3 of House Bill No. 12 of the Second Called Session of the Forty-second Legislature, so as to remove the prohibition against catching or taking fish from the waters of Lake Waco and the Bosque Rivers and their tributaries in the Counties of McLennan and Bosque during the month of February, etc., and declaring an emergency."

H. B. No. 422, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as County Commissioner; providing for the payment of the same; and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 97 WITH SENATE AMENDMENTS

Mr. Lyle called up from the Speaker's table with Senate amendments, for consideration of the amendments,

H. B. No. 97, A bill to be entitled "An Act authorizing navigation districts created under any of the provisions of the Constitution or Laws of this State in addition to the powers heretofore conferred by law to acquire, extend, construct, repair, build, develop and maintain certain improvements in aid of deep water navigation without taxation and to borrow money therefor from the Federal Government or any other source and to issue and deliver evidences of such indebtedness payable only out of the net revenues of the district and to encumber any of the properties and facilities and revenues of the district including those for which the funds are borrowed, all as additional security, providing remedies in case of default, to grant to the purchaser of said properties at foreclosure sale a franchise under stipulated terms and for not more than twenty years, and to enter into all necessary agreements to carry out the provisions hereof, providing that this Act shall not be construed as repealing any other laws of this State applicable to the subject matter hereof, providing for methods of procedure in creating the indebtedness and encumbering the properties to secure the same; and declaring an emergency."

On motion of Mr. Lyle the House concurred in the Senate Amendments by the following vote:

Yeas—108

Allison	Carlton
Alsup	Carrington
Avant	Cato
Bailey	Chambers
Baker	Clark
Bean	Coker
Benton	Colson, Mrs.
Brawner	Connelly
Bray	Craig
Brown	Crosthwait
Bruhl	Daniel
Bundy	Davis
Burkett	Deen

Dickson of Nolan	McAlister
Dove	McGlasson
Dwyer	McLellan
Ellis	McMurry
Favors	McNamara
Ferguson	Manford
Files	Manning
Fitzgerald	Markle
Gandy	Martin
Goodman	Matthews
Hanna	Moore
Hardeman	Morgan
Hargis	Morris
Harris of Dallas	Morse
Harris of Hill	Murray
Heflin	Pace
Helpinstill	Parker
Henderson	Pevehouse
Hileman	Phillips
Howington	Price
Hoyo	Reed of Bowie
Huffman	Reed of Dallas
Hughes	Ridgeway
Humphrey	Roark
Hutchinson	Roberts
Jones	Senterfitt
Kelly	Shell
Kennedy	Simpson
Kersey	Smith of Atascos
Kinard	Spacek
Klingeman	Spangler
Knight	Stanford
Lansberry	Stinson
Lehman	Taylor
Leyendecker	Turner
Little	Walters
Lock	Wattner
Love	Weatherford
Lowry	White
Lucas	Whitesides
Lyle	Winfree

Absent

Allen	Hobbs
Anderson	Howard
Blankenship	Isaacks
Boone	King
Bridgers	McCann
Bullock	McDonald
Burnaman	Mills
Celaya	Montgomery
Cleveland	Nicholson
Crossley	Rhodes
Dickson of Bexar	Sallas
Donald	Sharpe
Duckett	Skiles
Eubank	Smith of Bastrop
Evans	Thornton
Fuchs	Vale
Halsey	Voigt
Hartzog	

Absent—Excused

Bell Huddleston
Garland Rampy
Gilmer Stubbs

HOUSE BILL NO. 83 WITH
SENATE AMENDMENTS

Mr. Lyle called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 83, A bill to be entitled "An Act making an appropriation out of any moneys in the State Treasury not otherwise appropriated for the Nueces River Conservation and Reclamation District, for each of the fiscal years ending August 31, 1942, and August 31, 1943, to aid said district in making the necessary surveys and preparing the necessary plans for its construction program; and declaring an emergency."

Mr. Lyle moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on House Bill No. 83:

Messrs. Lyle, Smith of Atascosa, Lansberry, Gilmer and Spangler.

HOUSE BILL NO. 216 WITH
SENATE AMENDMENTS

Mr. Little called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 216, A bill to be entitled "An Act amending Section 1 of Article 1269h, R. C. S. of Texas, by removing certain restrictions on the number of acres of land which may be owned by cities and counties for airport purposes; and declaring an emergency."

On motion of Mr. Little, the House concurred in the Senate Amendments by the following vote:

Yeas—109

Allen	Jones
Allison	Kelly
Anderson	Kennedy
Avant	Kersey
Bailey	Kinard
Baker	Klingeman
Bean	Knight
Benton	Lansberry
Boone	Lehman
Brawner	Leyendecker
Bray	Little
Bridgers	Lock
Bullock	Love
Burkett	Lowry
Carrington	Lucas
Cato	Lyle
Celaya	McAlister
Chambers	McCann
Coker	McDonald
Colson, Mrs.	McGlasson
Connelly	McMurry
Craig	McNamara
Crossley	Manford
Crosthwait	Manning
Daniel	Markle
Deen	Martin
Dickson of Bexar	Matthews
Dickson of Nolan	Montgomery
Donald	Morse
Dove	Murray
Duckett	Pace
Dwyer	Parker
Ellis	Pevehouse
Eubank	Phillips
Favors	Price
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Ridgeway
Gandy	Roark
Goodman	Roberts
Hanna	Rhodes
Hardeman	Sallas
Hargis	Senterfitt
Harris of Dallas	Skiles
Harris of Hill	Smith of Bastrop
Helpinstill	Smith of Atascosa
Henderson	Spacek
Howard	Stinson
Howington	Taylor
Hoyo	Thornton
Huffman	Walters
Hughes	Wattner
Humphrey	White
Hutchinson	Whitesides
Isaacks	Winfree

Absent

Alsup	Bruhl
Blankenship	Bundy
Brown	Burnaman

Carlton	Moore
Clark	Morgan
Cleveland	Morris
Davis	Nicholson
Evans	Sharpe
Fuchs	Shell
Halsey	Simpson
Hartzog	Spangler
Heflin	Stanford
Hileman	Turner
Hobbs	Vale
King	Voigt
McLellan	Weatherford
Mills	

Absent—Excused

Bell	Huddleston
Garland	Rampy
Gilmer	Stubbs

RELATIVE TO HOUSE BILL NO. 26

Mr. Alsup asked unanimous consent of the House that the Engrossing Clerk be permitted to correct a typographical error in House Bill No. 26.

There was no objection offered and it was so ordered.

RELATIVE TO HOUSE BILL
NO. 369

On motion of Mr. Morris and by unanimous consent of the House, the caption of House Bill No. 369 was ordered amended to conform to all changes and with the body of the bill.

RELATIVE TO HOUSE BILL
NO. 211

Mr. Favours asked unanimous

consent of the House that the Engrossing Clerk be permitted to correct a typographical error in House Bill No. 211 and amend the caption to conform to the body of the bill.

There was no objection offered and it was so ordered.

RELATIVE TO HOUSE BILL
NO. 288

On motion of Mr. Bridgers and by unanimous consent of the House, the caption of House Bill No. 288 was ordered amended to conform to all changes and with the body of the bill.

BILL RECOMMITTED

On motion of Mr. Howington, House Bill No. 336 was recommitted to the Committee on Agriculture.

ADDITIONAL SIGNERS OF
HOUSE BILLS

By unanimous consent of the House, the following Members were authorized to sign bills as coauthors of same, as follows:

Mr. Clark: House Bill No. 481.

Mr. Lyle and Mr. Lansberry: House Bills Nos. 74 and 75.

Mr. Stanford: House Bill No. 533.

Mr. Avant: House Bills Nos. 503 and 504.

Mr. Craig: House Bill No. 481.

Commending Hon. P. L. Anderson

Mr. Isaacks offered the following resolution:

H. S. R. No. 134, Commending Hon. P. L. Anderson.

Whereas, The membership of this House has learned that the Honorable P. L. Anderson, the senior Member from Bexar County, has consented to become a candidate for Fire and Police Commissioner of his city, the historical San Antonio, the oldest municipality in the State; and

Whereas, The Honorable P. L. Anderson is now serving his seventh term or fourteenth year in this House, during which time he has not only endeared himself in a personal way to the Members of the House of Representatives of this Legislature and the previous ones in which he has served, but has thoroughly demonstrated great ability as a legislator and has rendered services to his constituents and to his native State that are comparable to the services of any of our leading statesmen;

Therefore, be it resolved by the House of Representatives of the State of Texas, That we congratulate the City of San Antonio on being able to secure the services in one of its most important political departments of a man so thoroughly honest, upright and capable as Mr. Anderson, and congratulate him upon his decision to render so important a service to his immediate neighbors; and

Be it further resolved, That while Mr. Anderson will continue to serve his county and State during the present Session of the Legislature, it is with much regret that we are to ultimately lose him as a legislator.

ISAACKS,
REED of Dallas,
WINFREE,
BUNDY.

The resolution was read second time.

On motion of Mr. Morse, a page in the Journal was dedicated to the resolution.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs.

Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White and Whitesides.

On the motion of Mr. Heflin, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. C. R. No. 50, Providing for Joint Session of the Legislature to Hear Address of Governor W. Lee O'Daniel.

H. C. R. No. 49, Providing for Certain Adjournment Period.

H. B. No. 385, "An Act amending Section 3 of House Bill No. 12 of the Second Called Session of the 42nd Legislature, so as to remove the prohibition against catching or taking fish from the waters of Lake Waco and the Bosque Rivers and their tributaries in the Counties of McLennan, Bosque and Hamilton, during the month of February; and declaring an emergency."

H. B. No. 399, "An Act authorizing eligible cities as defined herein to issue two classes of refunding bonds, providing the methods of paying and securing such bonds, enacting other provisions relating to the subject, making this Act cumulative of other laws, providing that it shall take precedence over other laws general or special, and all charter provisions in conflict or inconsistent herewith, and declaring an emergency."

S. B. No. 104, "An Act authorizing the appointment by the District Attorney or Criminal District Attorney of assistants and a stenographer in Judicial Districts composed of and confined to one county only and in which Judicial District and county the population as determined by the last preceding Federal Census is not less than fifty thousand five hundred and not more than fifty-five thousand inhabitants, etc., and declaring an emergency."

S. B. No. 101, "An Act amending House Bill No. 438, Regular Session, 46th Legislature, with reference to the employment of a stenographer or clerk by the County Judge of certain counties so as to make the Act applicable in counties having a population of not more than seven

thousand eight hundred (7,800) and not less than seven thousand seven hundred (7,700) and in counties of not more than thirteen thousand two hundred ninety-nine (13,299) and not less than thirteen thousand one hundred ninety-nine (13,199) inhabitants, etc., and declaring an emergency."

S. B. No. 28, "An Act to repeal the Bosque County Fish Law, being Chapter 43, page 792, House Bill No. 957, in the Special Laws of the 46th Legislature, and declaring an emergency."

S. B. No. 19, "An Act to amend H. B. No. 30, Chap. 4, Acts of 1933, 1st Called Session of 43rd Legislature, etc., and declaring an emergency, and providing the Act shall take effect from and after its passage."

MESSAGE FROM THE SENATE

Austin, Texas, February 27, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a Conference Committee to adjust the differences between the two Houses on House Bill No. 83.

The following have been appointed on the part of the Senate:

Senators Kelley, Metcalfe, Weinert, Moffett, Chadick.

The Senate has adopted

S. C. R. No. 27, Relative to Fire-proofing Capitol Building.

Respectfully,

BOB BARKER,

Secretary of the Senate.

ADJOURNMENT

On motion of Mr. Bean, the House at 12:15 o'clock p. m. adjourned until 10:00 o'clock a. m. next Monday, March 3.

APPENDIX

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills and resolutions as follows:

Agriculture: H. B. No. 420.

Constitutional Amendments: H. J. R. No. 10.

Banks and Banking: H. B. No. 359.

Judiciary and Uniform State Laws: S. B. No. 92.

Appropriations: H. B. Nos. 17, 233, 248, 345, 441; S. B. No. 52 and S. C. R. No. 16.

Public Health: H. B. No. 79.

Municipal and Private Corporations: H. B. Nos. 398, 482; and S. B. No. 144.

Counties: H. B. Nos. 446, 471, 476, 477, 489, 493, 494, 508, 513, 522, 528, 529, 532, 536 and 537.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 49, Providing for adjournment of both Houses.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 50, Providing for a Joint Session at 10:15 a. m., Thursday, February 27, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941,

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 5, A bill to be entitled "An Act defining Industrial Life Insurance; forbidding the delivery or issuance for delivery of any policy of Industrial Life Insurance, unless it

shall contain certain provisions, and making said provisions subject to certain exceptions; securing to insureds and beneficiaries under policies previously issued, the right to select, under certain circumstances, extended or paid-up insurance and providing for the automatic selection of extended insurance in the event such insureds or beneficiaries fail to make a selection; designating additional optional provisions to be contained in policies of Industrial Life Insurance; forbidding the inclusion of certain provisions in Industrial Life Insurance policies, requiring approval of the Board of Insurance Commissioners of all policies of Industrial Life Insurance, including such policies which provide for accident and health benefits in addition to natural death benefits, and all riders and endorsements before same can be delivered or issued for delivery; requiring written notice in case of disapproval of any policy, rider or endorsement; providing for an appeal from the decision of the Board; providing that this Act and no other shall apply to and govern the form and content of Industrial Life Insurance policies; providing that upon proper showing to the Board of Insurance Commissioners of inability of an insurer to comply with this Act immediately upon the same becoming effective, such insurer may at the discretion of the Board have sixty days from and after the effective date of this Act in which to make full compliance with its provisions; providing for the severability of the provisions of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 338, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to construct or acquire, and equip not more than six dormitories, an office building, and additional power and steam

plant equipment, authorizing and requiring said Board to fix fees and charges for the use of such buildings and to make parietal rules concerning the same; authorizing the issuance of negotiable revenue bonds payable from and secured by revenues from such buildings and of certain other buildings heretofore or hereafter constructed or acquired; authorizing said Board to furnish to certain buildings water, steam, power and electricity from the plant owned by the institution, to charge for such services as a part of the maintenance and operation expense of such buildings and to issue negotiable revenue bonds secured by and payable from the net revenues from such charges for the purpose of constructing or acquiring additional equipment for such plant, and additionally to secure such revenue bonds by pledging the net revenues from other specified buildings; authorizing said Board to construct an office building for certain purposes and to issue revenue bonds secured by and payable from the net revenues from such office building and from other specified buildings; authorizing the issuance of negotiable refunding bonds, and of refunding and construction bonds, secured by and payable from revenues as herein provided; providing that bonds authorized in this Act shall not constitute an indebtedness of the State of Texas or of said institution and that the holders of such revenue bonds shall never have the right to demand payment out of funds other than those pledged for their payment; authorizing under named restrictions use of a portion of the local funds to prevent or relieve a default or to create or maintain a reserve for such bonds; requiring approval of such bonds by the Attorney General, and prescribing the effect thereof; requiring registration by the Comptroller of Public Accounts; this Act cumulative of other laws but giving precedence to the provisions of this Act; enacting other provisions relating to the subject hereof; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 211, A bill to be entitled "An Act amending Article 6008 of the Revised Civil Statutes of Texas, as amended by Chapter 120, Acts of the Forty-fourth Legislature, Regular Session, providing for the use of sweet and other natural gas under certain conditions for the manufacture of carbon black; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 11, A bill to be entitled "An Act to amend Article 2746, Revised Civil Statutes, relative to payment of persons holding elections of local school trustees, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 288, A bill to be entitled "An Act to authorize the County Commissioners of any county having a County Court at Law to appoint an official interpreter for the County Court at Law in such county; to provide for the salary of such interpreter and to prescribe his duties and providing for the oath of such interpreter."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 335, A bill to be entitled "An Act to amend Article 324 of the Revised Civil Statutes of 1925, as amended by H. B. No. 222, Chapter 254, of the Acts of the Regular Session of the 41st Legislature, and further amending Chapter 137, Section 1, Acts of the Regular Session of 1931, of the 42nd Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 73, A bill to be entitled "An Act amending Article 802 of the Penal Code of Texas, as amended by Acts of the Second Called Session of the Legislature in 1923, as amended by Acts of 1935, 44th Legislature, First Called Session, Chapter 424, as amended by Acts of 1937, 45th Legislature, Chapter 60, providing that any person who drives or operates an automobile or other motor vehicle upon any public road or highway, or upon any street or alley within the limits of an incorporated city, town or village, while such person is intoxicated or in any degree under the influence of intoxicating liquors, shall be guilty of a misdemeanor, reducing the maximum penalty provided in said article from a penitentiary offense to a jail sentence, and increasing the minimum penalty thereof; and providing further that if such drunken driver shall be the cause of an accident whereby the death of another person shall be caused, he shall be guilty of a felony, and upon conviction he shall be confined in the penitentiary for not less than one nor more than five years; and declaring an emergency."

Has carefully compared same and finds its correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 26, A bill to be entitled "An Act to amend House Bill No. 6, Acts of the Second Called Session, Forty-first Legislature, Chapter 88, as amended in Section 6A of House Bill No. 53, being Chapter 27 of the General Laws of the Forty-third Legislature, First Called Session, as amended by House Bill No. 9 of the General Laws of the Forty-third Legislature, Third Called Session, Chapter 36; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 51, A bill to be entitled "An Act to amend Article 4766, Revised Civil Statutes of Texas of 1925, as amended by Acts of 1937, Forty-fifth Legislature, page 419, Chapter 214, Section 1, so as to provide that the term 'Texas Securities' as used in Title 78, Chapter 4, of the Revised Civil Statutes of Texas of 1925, shall include promissory notes and other obligations, payment of which is secured by a mortgage, deed of trust, or other valid lien upon unencumbered real estate situated in the State of Texas, the title to which real estate is valid and the market value of which is forty (40) per cent more than the amount loaned thereon, excluding uninsured buildings, and also to include first liens upon leasehold estates in real property and improvements thereon, the title to which is valid and the leasehold on which has not less than thirty (30) years to run before expiration, provided that the duration of any loan upon such leasehold estate shall not exceed a period of ten (10) years; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 80, A bill to be entitled "An Act providing for the employment in all counties having a population of not less than three hundred and twenty thousand (320,000) nor more than three hundred and fifty thousand (350,000), according to the last preceding Federal Census, of two (2) rural school supervisors; prescribing the qualifications and duties of said supervisors and defining their powers; . . . and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 369, A bill to be entitled "An Act fixing the salaries and traveling expenses for county commissioners in counties of not less than twenty-four thousand, nine hundred (24,900) and not more than twenty-five thousand (25,000) inhabitants; repealing all laws and parts of laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 368, A bill to be entitled "An Act providing for compensation for County Auditor in certain counties; providing mode and manner of payment of such salary; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 445, A bill to be entitled "An Act validating all proceedings prior to February 10, 1941, by the Boards of Trustees of independent school districts of the State of Texas authorizing the issuance of bonds of such districts in the amount of not exceeding Twenty-five Thousand Dollars (\$25,000), bearing interest at a rate of not exceeding there and one-half (3 ½) per centum per annum, payable annually or semiannually, and maturing serially over a period not exceeding twenty (20) years from their date, for the purpose of constructing and equipping public free school stadia within such districts; validating the tax levies made for the payment of such bonds; validating all such bonds authorized prior to February 10, 1941, and which have been approved by the Attorney General, registered by the Comptroller, and sold prior to the effective date of this Act; enacting provisions incident thereto; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 366, A bill to be entitled "An Act amending Article 3902, Revised Civil Statutes of Texas of 1925, and all amendments thereto, by adding thereto a new subsection to be known as Subsection 8; fixing the compensation of the First Assistant or Chief Deputy and other assistants and deputies in counties of not less than twenty-four thousand, nine hundred (24,900) and not more than twenty-five thousand (25,000) inhabitants, according to the last Federal Census; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 291, A bill to be entitled "An Act relating to the salaries of all State officers except those Constitutional State officers whose salaries are specifically fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, the Supreme Court and the Court of Criminal Appeals out of fees of office, and specifically repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 38, Authorizing William W. Shuff and Mrs. Surrilda W. Shuff to sue the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairamn.

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 45, Authorizing C. O. Kieffer to sue the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 399, "An Act authorizing eligible cities as defined herein to issue two classes of refunding bonds; providing the methods of paying and securing such bonds; enacting other provisions relating to the subject; making this Act cumulative of other laws; providing that it shall take precedence over other laws, general or special, and all charter provisions in conflict or inconsistent herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, February 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 50, Providing for a Joint Session at 10:15 a. m., Thursday, February 27, 1941.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, February 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 49, Providing for adjourning of both Houses.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, February 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 386, "An Act amending Section 3 of House Bill No. 12 of the Second Called Session of the Forty-second Legislature, so as to remove the prohibition against catching or taking fish from the waters of Lake Waco and the Bosque Rivers and their tributaries in the Counties of McLennan and Bosque during the

month of February; legalizing the catching, taking, and using shad for bait in said waters; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

(THIRTIETH DAY)

(Monday, March 3, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Dwyer
Allen	Ellis
Allison	Eubank
Alsup	Evans
Avant	Favors
Bailey	Ferguson
Baker	Files
Bean	Fitzgerald
Benton	Fuchs
Blankenship	Gandy
Boone	Goodman
Brawner	Halsey
Bray	Hanna
Bridgers	Hargis
Brown	Harris of Dallas
Bruhl	Harris of Hill
Bullock	Hartzog
Bundy	Heflin
Burkett	Helpinstill
Burnaman	Henderson
Carlton	Hileman
Carrington	Hobbs
Cato	Howington
Celaya	Hoyo
Chambers	Huddleston
Clark	Huffman
Cleveland	Hughes
Coker	Humphrey
Colson, Mrs.	Hutchinson
Connelly	Isaacks
Craig	Jones
Crossley	Kelly
Crosthwait	Kennedy
Daniel	Kersey
Davis	Kinard
Deen	Klingeman
Dickson of Bexar	Knight
Donald	Lansberry
Dove	Lehman
Duckett	Leyendecker

Little	Price
Lock	Rampy
Love	Reed of Bowie
Lowry	Reed of Dallas
Lucas	Ridgeway
Lyle	Roark
McAlister	Roberts
McCann	Rhodes
McDonald	Sallas
McGlasson	Senterfitt
McLellan	Sharpe
McNamara	Simpson
Manford	Skiles
Manning	Smith of Bastrop
Markle	Spacek
Martin	Spangler
Matthews	Stanford
Mills	Stinson
Montgomery	Stubbs
Moore	Thornton
Morgan	Turner
Morris	Vale
Morse	Walters
Murray	Wattner
Nicholson	Weatherford
Pace	White
Parker	Whitesides
Pevehouse	Winfree
Phillips	

Absent—Excused

Anderson	King
Bell	McMurry
Dickson of Nolan	Shell
Garland	Smith of Atascosa
Gilmer	Taylor
Hardeman	Voigt
Howard	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, we rejoice this morning that we have been spared to come together again. We thank Thee for our health, and for the confidence of our people. May we use the opportunities of the day worthily, helpfully, and in accordance with Thy will. To that end be mindful of us and direct our minds and our activities into right channels, for Jesus' sake. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Shell for today on motion of Mr. Klingeman.